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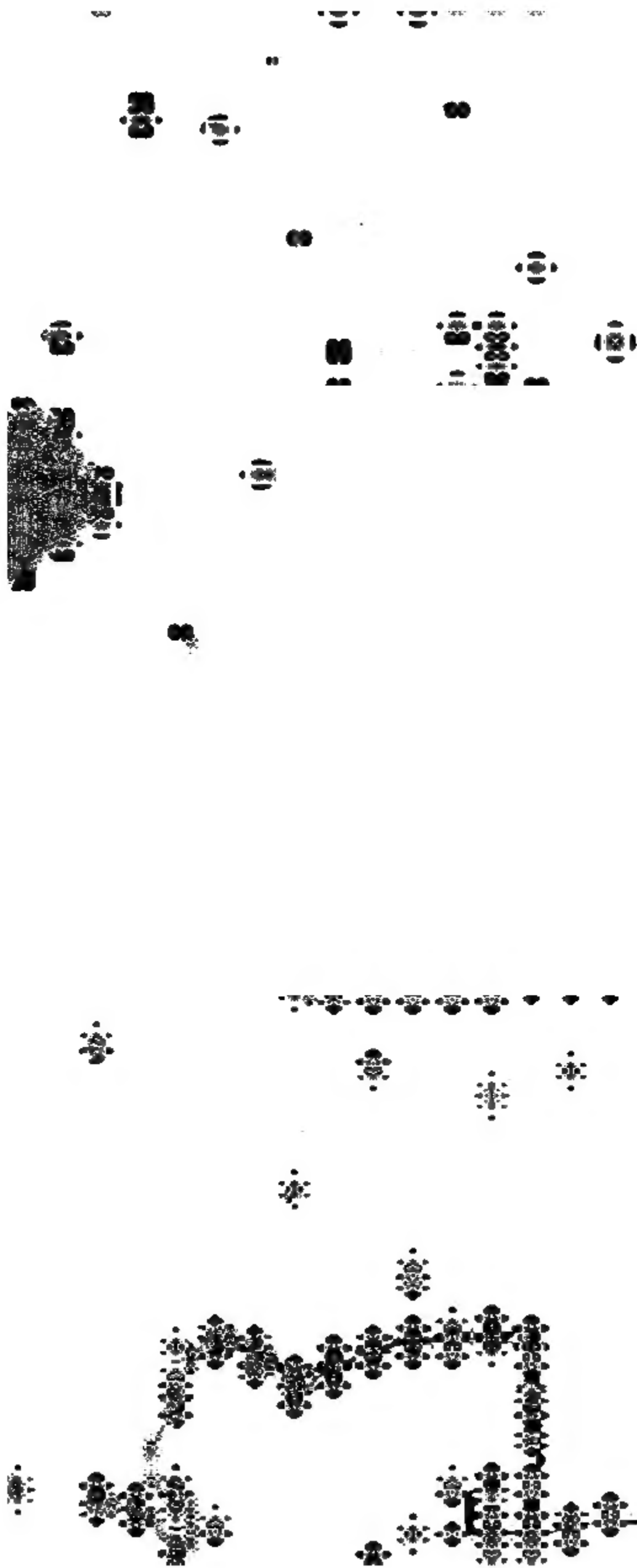
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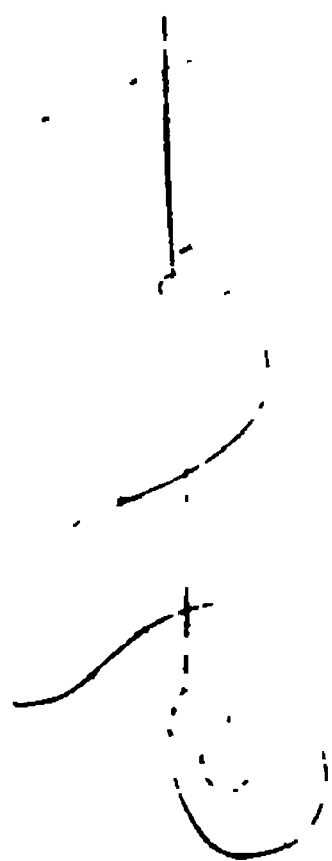
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THE  
Journal of the Senate  
OF THE  
LEGISLATIVE ASSEMBLY  
OF THE  
STATE OF OREGON,  
FOR THE  
FOURTEENTH REGULAR SESSION.  
1887.



SALEM, OREGON:  
FRANK C. BAKER, STATE PRINTER.  
1887.



OFFICERS OF THE SENATE.

1887.

HON. JOHN C. CARSON-----President.  
E. G. HURSH-----Chief Clerk.  
C. W. WATTS-----Assistant Clerk.  
T. C. STEPHENS-----Sergeant-at-Arms.  
J. H. McCORMICK-----Doorkeeper.  
FRED. W. PIPER, }  
G. B. MILLOY, }-----Pages.

## MEMBERS OF THE SENATE.

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### ELECTED IN 1884.

- Clackamas*—C. O. T. Williams.  
*Coos and Curry*—J. M. Siglin.  
*Douglas*—John Emmett, J. H. Shupe.  
*Josephine*—H. B. Miller.  
*Lane*—E. P. Coleman.  
*Linn*—J. K. Weatherford.  
*Multnomah*—Joseph Simon, J. C. Carson.  
*Polk*—J. C. Allen.  
*Polk and Benton*—Joseph D. Lee.  
*Union*—L. B. Rinehart.  
*Wasco, Crook, Klamath, Lake and Gilliam*—C. M. Cartwright.  
*Washington*—W. D. Hare.
- 

### ELECTED IN 1886.

- Baker*—George Chandler.  
*Benton*—T. E. Cauthorn.  
*Clackamas*—L. T. Barin.  
*Clatsop, Tillamook and Columbia*—J. H. D. Gray.  
*Grant*—J. H. Hamilton.  
*Jackson*—A. C. Stanley.  
*Lane*—R. M. Veatch.  
*Linn*—R. A. Irvine, S. A. Dawson.  
*Marion*—M. L. Chamberlin, J. B. Looney, J. B. Dimick.  
*Multnomah*—George A. Steel.  
*Umatilla and Morrow*—J. P. Wager.  
*Yamhill*—R. P. Bird (elected at special session in 1885), J. W. Watts.

## SENATE STANDING COMMITTEES.

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*Judiciary*—Simon, Hare, Barin, Weatherford, Siglin.

*Ways and Means*—Shupe, Lee, Miller, Rinehart, Chandler.

*Elections*—Emmett, Dimick, Irvine.

*Claims*—Allen, Simon, Chandler.

*Corporations*—Bird, Emmett, Cauthorn.

*Public Lands*—Cartwright Barin, Stanley.

*Federal Relations*—Gray, Dimick, Veatch.

*Mines*—Stanley, Cartwright, Dawson.

*Printing*—Siglin, Shupe, Williams.

*Railroads*—Miller, Allen, Steel, Coleman, Hamilton.

*Public Buildings*—Hare, Looney, Veatch.

*Roads and Highways*—Dawson, Williams, Stanley, Watts, Weatherford.

*Counties*—Chamberlin, Gray, Hamilton.

*Military Affairs*—Dimick, Chamberlin, Wager.

*Commerce*—Barin, Gray, Rinehart.

*Education*—Watts, Shupe, Cauthorn.

*Engrossed Bills*—Steel, Dawson, Siglin.

*Enrolled Bills*—Williams, Bird, Rinehart.

*Assessments*—Lee, Hare, Steel, Wager, Coleman.

*Agriculture*—Looney, Allen, Irvine.

# SENATE JOURNAL.

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SENATE CHAMBER,  
SALEM, Oregon, January 10, 1887. }

In pursuance of law, the Senate of the Fourteenth Biennial Session of the Legislative Assembly of the State of Oregon met at 11 o'clock A. M., on the 10th day of January, 1887, in the Senate Chamber, at Salem, Oregon, and was called to order by Hon. Joseph Simon of Multnomah county, who placed in nomination for President *pro tem.* of the Senate Hon. J. D. Lee of Polk and Benton.

A vote being taken, Hon. J. D. Lee was declared duly elected President *pro tem.*, and took the chair.

Hon. John H. Shupe of Douglas placed E. G. Hursh in nomination for Chief Clerk *pro tem.*

A vote being taken, E. G. Hursh was declared duly elected Chief Clerk *pro tem.*

Hon. S. A. Dawson of Linn placed C. W. Watts in nomination for Assistant Clerk *pro tem.*

A vote being taken, C. W. Watts was declared duly elected Assistant Clerk *pro tem.*

Hon. R. P. Bird of Yamhill placed in nomination T. C. Stephens for Sergeant-at-Arms *pro tem.*

A vote being taken, T. C. Stephens was declared duly elected Sergeant-at-Arms *pro tem.*

Hon. Joseph Simon of Multnomah placed A. M. Brown in nomination for Doorkeeper *pro tem.*

A vote being taken, A. M. Brown was declared duly elected Doorkeeper *pro tem.*

On motion of Mr. Miller the President *pro tem.* appointed a Committee of five on Credentials, viz.: Miller of Josephine, Williams of

Clackamas, Shupe of Douglas, Siglin of Coos and Curry, and Coleman of Lane.

On motion of Mr. Watts, the Senate adjourned until 2:30 o'clock P. M.

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### AFTERNOON SESSION.

The Senate met and was called to order at 2:30 o'clock P. M. by the President *pro tem*.

The Committee on Credentials submitted the following

#### REPORT:

*Mr. President:*—We, your Committee on Credentials, find by the records of the regular session of 1885 that the following persons are entitled to seats in this body, to-wit:

Clackamas County—C. O. T. Williams.

Coos and Curry Counties—J. M. Siglin.

Douglas County—John Emmett and J. H. Shupe.

Josephine County—H. B. Miller.

Lane County—E. P. Coleman.

Linn County—Jas. K. Weatherford.

Multnomah County—Joseph Simon and J. C. Carson.

Polk and Benton Counties—Jos. D. Lee.

Polk County—John C. Allen.

Union County—L. B. Rinehart.

Wasco, Crook, Gilliam, Klamath and Lake Counties—C. M. Cartwright.

Washington County—W. D. Hare.

And we find further, from the records of the special session of the Legislature of 1885, that R. P. Bird, of Yamhill County, is entitled to a seat within this body.

We find from certificates presented that the following persons were elected in 1886, and are entitled to seats in this body, to-wit:

Baker County—George Chandler.

Benton County—T. E. Cauthorn.

Clackamas County—L. T. Barin.

Clatsop, Tillamook and Columbia Counties—J. H. D. Gray.

Grant County—J. H. Hamilton.

Jackson County—A. C. Stanley.

Lane County—R. M. Veatch.

Linn County—R. A. Irvine and S. A. Dawson.



Marion County—M. L. Chamberlin, J. B. Looney and J. B. Dimick.

Multnomah County—George A. Steel.

Umatilla and Morrow Counties—J. P. Wager.

Yamhill County—J. W. Watts.

Respectfully submitted,

H. B. MILLER,  
JOHN H. SHUPE,  
E. P. COLEMAN,  
J. M. SIGLIN,  
C. O. T. WILLIAMS,  
Committee.

On motion of Mr. Coleman the report of the Committee on Credentials was adopted.

The President directed the Sergeant-at-Arms to invite the Secretary of State within the bar of the Senate to administer the oath of office to the newly elected Senators.

The Secretary of State appeared within the bar of the Senate and administered the oath accordingly, and a copy thereof was duly subscribed to by the Senators respectively.

Mr. Simon introduced S. R. No. 1, which was on his motion adopted.

#### SENATE RESOLUTION NO. 1.

*Resolved*, That the Senate proceed to effect a permanent organization by electing:

First—A President of the Senate.

Second—A Chief Clerk.

Third—An Assistant Clerk.

Fourth—A Sergeant-at-Arms.

Fifth—A Doorkeeper.

The election of permanent officers being next in order.

Mr. Watts placed in nomination for President of the Senate Hon. J. C. Carson, of Multnomah County, and Mr. Coleman nominated Hon. J. K. Weatherford, of Linn County.

There being no further nominations the Senate proceeded to ballot, with the following result:

Those voting for Mr. Carson were: Messrs. Allen, Barin, Bird, Cartwright, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Shupe, Simon, Steel, Williams, Weatherford and Watts—19.

Those voting for Mr. Weatherford were:

Messrs. Coleman, Carson, Chandler, Cauthorn, Irvine, Rinehart, Siglin, Stanley, Veatch and Wager—10.

Mr. Dawson voted blank.

Mr. Carson having received a majority of all the votes cast, was declared duly elected President of the Senate of the Fourteenth Biennial Session.

Upon motion, and by vote of the Senate, the President *pro tem.* was directed to appoint a committee of two, to conduct the President-elect to the chair; and the President *pro tem.* appointed as such committee Messrs. Weatherford and Barin.

The President-elect being conducted to the chair, briefly tendered his thanks for the honor conferred upon him.

On motion of Mr. Lee, the Sergeant-at-Arms was instructed to invite the Secretary of State within the bar, to administer the oath of office to the President-elect.

The Secretary of State appeared within the bar and administered the oath of office to the President, to which he subscribed his name.

The election of Chief Clerk being next in order—

Mr. Watts placed in nomination E. G. Hursh, of Douglas County, and Mr. Veatch, of Lane, placed in nomination L. F. Williams of Polk.

There being no further nominations the Senate proceeded to ballot, with the following result:

Those voting for Mr. Hursh were:

Messrs. Allen, Barin, Bird, Carson, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Shupe, Simon, Steel, Williams and Watts—20.

Those voting for Mr. Williams were:

Messrs. Coleman, Chandler, Cauthorn, Irvine, Rinehart, Siglin, Stanley, Veatch, Weatherford and Wager—10.

Mr. Hursh, having received a majority of all the votes cast, was declared elected Chief Clerk.

Election of Assistant Clerk being next in order.

Mr. Watts placed in nomination Mr. C. W. Watts, of Linn County, and Mr. Weatherford placed in nomination Mr. T. J. Cline, of Linn County.

There being no further nominations the Senate proceeded to ballot with the following result:

Those voting for Mr. Watts were:

Messrs. Allen, Barin, Bird, Carson, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Shupe, Simon, Steel, Williams and Watts—20.

Those voting for Mr. Cline were:

Messrs. Coleman, Chandler, Cauthorn, Irvine, Rinehart, Siglin, Stanley, Veatch, Weatherford and Wager—10.

Mr. Watts, having received a majority of all the votes cast, was declared elected Assistant Clerk.

Election of Sergeant-at-Arms being next in order.

Mr. Watts placed in nomination Mr. T. C. Stephens, of Yamhill, and Mr. Siglin placed in nomination Mr. J. F. Hill, of Coos.

There being no further nominations the Senate proceeded to ballot with the following result:

Those voting for Mr. Stephens were:

Messrs. Allen, Barin, Bird, Carson, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Shupe, Simon, Steel, Williams and Watts—20.

Those voting for Mr. Hill were:

Messrs. Coleman, Chandler, Cauthorn, Irvine, Rinehart, Siglin, Stanley, Veatch, Weatherford and Wager—10.

Mr. Stephens, having received a majority of all the votes cast, was declared elected Sergeant-at-Arms.

Election of Doorkeeper being next in order, Mr. Watts placed in nomination Mr. J. H. McCormick of Marion, and Mr. Stanley placed in nomination Mr. J. W. Cunningham of Jackson.

There being no further nominations, the Senate proceeded to ballot with the following result:

Those voting for Mr. McCormick were:

Messrs. Allen, Barin, Bird, Carson, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Shupe, Simon, Steel, Williams and Watts—20.

Those voting for Mr. Cunningham were:

Messrs. Coleman, Chandler, Cauthorn, Irvine, Rinehart, Siglin, Stanley, Veatch, Weatherford, and Wager—10.

Mr. McCormick, having received a majority of all the votes cast, was declared elected Doorkeeper.

On motion of Mr. Miller, the President was authorized to appoint two Pages.

The President announced that he would make the appointment of Pages to-morrow morning.

On motion of Mr. Dawson, the President notified the Sergeant-at-Arms to invite the Secretary of State inside the bar of the Senate, who, having appeared, administered the oath of office to all the officers-elect.

Mr. Coleman introduced the following:

#### SENATE RESOLUTION NO. 2.

*Resolved*, That the reporters of the various newspapers of the State are hereby invited to occupy seats within the bar of the Senate, and

that the Sergeant-at-Arms be instructed to provide for their convenience, and also to furnish them with stationery.

On motion of Mr. Coleman, Senate Resolution No. 2 was adopted.

On motion of Mr. Simon, the Chief Clerk was directed by the President to inform the House that the Senate was organized and ready for business.

Mr. Dawson introduced

#### SENATE RESOLUTION NO. 3.

As follows:

*Resolved*, By the Senate that a committee of five, consisting of W. D. Hare, R. A. Irvine, E. Coleman, G. A. Steel and C. M. Cartwright, be hereby appointed to select and arrange the standing committees of the Senate, and that they report the same to the Senate as soon as practicable.

On Motion of Mr. Simon, Senate Resolution No. 3 was laid on the table.

Mr. Miller introduced

#### SENATE RESOLUTION NO. 4.

As follows:

*Resolved*, That the rules of the last Regular Session of the Senate be adopted as the rules of this session, until otherwise ordered.

On motion of Mr. Miller, Senate Resolution No. 4 was adopted.

On motion of Mr. Weatherford, the Sergeant-at-Arms was directed by the President to provide each member with a copy of the rules and regulations of the Senate.

On motion of Mr. Siglin the President appointed a committee of two to inform the Governor that the Senate is now organized and ready for business.

The President appointed as such committee Messrs. Siglin and Shupe.

At this time the Sergeant-at-Arms reported that he was unable to provide the members of the Senate with a copy of the rules of the last regular session for the reason that the Secretary of State had none on hand.

On motion of Mr. Hare the Chief Clerk was instructed by the President to request the Secretary of State to have 100 copies of the rules of the last regular session printed without delay.

Mr. Chalmers introduced

#### SENATE RESOLUTION NO. 5,

As follows:

*Resolved*, That the Sergeant-at-Arms be authorized to furnish each

Senator with a copy of the Code, a copy of the Senate Journal of the last regular session and of the special session, and also all the session laws since 1872, inclusive, or all those that can be furnished and are now on hand in the office of the Secretary of State.

On motion of Mr. Chandler Senate Resolution No. 5 was adopted.

Mr. Dawson introduced

SENATE RESOLUTION NO. 6,

As follows:

*Resolved*, That the President of the Senate be and is hereby requested to invite the clergy of the State to open the sessions of the Senate each morning with prayer.

On motion of Mr. Dawson Senate Resolution No. 6 was adopted.

Mr. Siglin introduced

SENATE RESOLUTION NO. 7,

As follows:

*Resolved*, That the Sergeant-at-Arms be instructed to furnish each Senator with four copies of such newspapers as each may select during the present session.

On motion of Mr. Siglin Senate Resolution No. 7 was adopted.

On motion of Mr. Coleman the Senate adjourned until 10 o'clock A. M. to-morrow.

E. G. HURSH,  
Chief Clerk.

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TUESDAY, JANUARY 11, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, January 11, 1887. }

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the members were present.

Prayer was offered by Rev. J. W. Webb, of Salem.

The Journal of yesterday was read and approved.

The President appointed as Pages, Fred W. Piper and G. B. Milloy.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, January 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has organized by the election of the following officers:

Hon. J. T. Gregg, Speaker.

A. C. Jennings, Chief Clerk.

John P. Cole, Assistant Clerk.

Henry Rogers, Sergeant-at-Arms.

Thomas Young, Doorkeeper.

L. Laughead, Fred Baker and Mac. Smith as Pages.

And the House is now ready for business.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, January 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that House Concurrent Resolution No. 1 has been adopted by this House, to appoint a committee to examine into the affairs of the Insane Asylum.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

The resolution accompanying the foregoing message is as follows:

*Resolved by the House, the Senate concurring:*

That a committee of three from the House and two from the Senate be appointed to examine into the affairs of the State Insane Asylum.

On motion of Mr. Cauthorn, the foregoing resolution was concurred in by the Senate.

The Sergeant-at-Arms was instructed by the President to inform the Secretary of State that the Pages had been appointed and were ready to be sworn.

Mr. Siglin introduced

## SENATE RESOLUTION NO. 8,

As follows:

*Resolved*, That the President of the Senate appoint the standing committees of the Senate.

It was moved to amend the resolution by inserting for the name of "President" the names of Carson, Cartwright, Hare, Wager and Coleman.

The President decided that the amendment could not be entertained, the same being an independent motion.

Mr. Weatherford then offered as a substitute the following:

*Resolved*, That a committee, consisting of President Carson, Senators Cartwright, Hare, Looney, Coleman, Siglin and Wager, be appointed a committee to arrange the standing committees of the Senate.

On motion of Mr. Watts, the subject was postponed and made a special order for 3 o'clock P. M.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 11, 1887. }

*Mr. President*:—I am directed by the Speaker to inform you that the House has adopted House Concurrent Resolution No. 6., for a joint committee to examine the books and accounts of the State Treasurer.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

The resolution accompanying the foregoing House message is as follows:

*Resolved by the House, the Senate Concurring*:

That a committee of five, consisting of two Senators and three Representatives, be appointed to examine the books and accounts of the State Treasurer.

On motion of Mr. Gray, the Senate concurred in House Concurrent Resolution No. 6.

Mr. Weatherford introduced

#### SENATE CONCURRENT RESOLUTION NO. 1,

As follows:

*Resolved by the Senate, the House concurring*:

That the two bodies meet in joint convention Wednesday, January 12, 1887, at 10:30 o'clock A. M. to canvass the vote for Governor and to hear such communication as the Governor may desire to make and the inaugural of the Governor-elect.

On motion of Mr. Weatherford, Senate Concurrent Resolution No. 1 was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted H. C. R. No. 3, and is now ready to meet your honorable body in joint convention at any time you may designate for the purpose of canvassing the vote for Governor.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Weatherford the Senate failed to concur in H. C. R. No. 3.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that House Concurrent Resolution No. 2 is adopted by the House, providing for a joint committee to wait on the Governor, and the committee on the part of the House are Messrs. Miller, Summers and La-follett.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Shupe, House Concurrent Resolution No. 2 was concurred in.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 11, 1887. }

*Mr. President*:—I am directed by the Speaker to inform you that Concurrent Resolution No. 7 has passed the House, calling for a joint committee on rules.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

The resolution accompanying the above message was as follows:

*Resolved by the House the Senate Concurring:*

That a committee of two on the part of the House and a like committee on the part of the Senate be appointed to report Joint Rules for the government of the two Houses.

On motion of Mr. Simon, the Senate concurred in House Concurrent Resolution No. 7, and Mr. Hare moved that the members of said committee be Mr. President and Mr. Weatherford, which was carried.

The Sergeant-at-Arms informed the President that the pages had been duly sworn in by the Secretary of State.

Mr. Gray introduced.

#### SENATE JOINT RESOLUTION NO. 1

As follows:

*Resolved by the Senate, the House Concurring:*

That there be, and is hereby appointed, a Joint Committee of both Houses, consisting of five members from the Senate and ten members from the House, to comprise the Columbia River Improvement Committee, who are hereby authorized to proceed to the Dalles of the Columbia, and then, in connection with the officers of the U. S. Engineers, and others hereafter mentioned, examine The Dalles of the Columbia, with a view to constructing either a canal and locks, or ship railway around those obstructions to navigation, and to report as early as practicable, by bill or otherwise, for the consideration of this present Legislature. And be it further

*Resolved,* That said Joint Committee be authorized to examine the United States Government canal and locks improvement at the Cascades of the Columbia, and ascertain from the United States engineer officer in charge the condition of that improvement and the prospects for more vigorous work, and the time required for its completion. And also to ascertain from the United States engineer officer in charge of the improvement of the Columbia River below Portland, and the jetty at the mouth of the Columbia River, their present condition and the prospect for the energetic prosecution of those works.

*Resolved,* That Major W. A. Jones, Captain Charles F. Powell and Lieutenant Edward Burr of the United States Engineers, and Captain U. B. Scott, be extended an invitation to accompany said Committee to the Dalles of the Columbia for the purpose of examination and consultation as to the manner and probable cost of their improvement, so as to allow the expeditious transfer of steamboats and barges from the Middle to the Upper Columbia River.

On motion of Mr. Simon, it was ordered that two hundred and fifty copies of Senate Joint Resolution No. 1 be printed.

Mr. Gray introduced

#### SENATE JOINT RESOLUTION NO. 2,

As follows:

*Resolved by the Senate, the House concurring:*

That there be appointed a Joint Committee of both Houses, to consist of three members of the Senate and six from the House, to devise ways and means to protect the large fishing industries of our State, and to report on the best methods of replenishing and increasing the product of our rivers by propagation.

Said committee to report by bill or otherwise.

On motion of Mr. Gray, it was ordered that two hundred and fifty copies of Senate Joint Resolution No. 2 be printed.

On motion of Mr. Cartwright, the Senate adjourned.

#### AFTERNOON SESSION.

The Senate met at the hour fixed by the rules, and was called to order by the President.

The roll was called and all the members were present.

On motion of Mr. Weatherford, the courtesies of the Senate were extended to ex-Senators N. B. Humphrey, W. R. Bilyeu, E. Holt, T. W. Davenport and R. B. Cochran, and the Sergeant-at-arms was ordered to provide them with seats within the bar.

Mr. Gray introduced

#### SENATE RESOLUTION NO. 9,

As follows:

*Resolved,* That the Sergeant-at-Arms be instructed to furnish each member, Chief Clerk and Assistant Clerk with five dollars' worth of stamps and one dollar's worth of newspaper wrappers.

On motion of Mr. Gray, Senate Resolution No. 9 was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that



House Concurrent Resolution No. 8, calling for a joint committee to examine books and accounts of Secretary of State, etc.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

The resolution accompanying the foregoing message is as follows:

*Resolved by the House, the Senate concurring:*

That a Joint Committee of three from the House and two from the Senate be appointed to examine the books and accounts of the offices of the Secretary of State and of the Board of Land Commissioners and report to both Houses, and that said Committees be authorized to employ a competent accountant and such other clerical assistant as may be found necessary.

On motion of Mr. Chamberlin, the Senate concurred in House Concurrent Resolution No. 8.

At this time the President appointed Messrs. Chamberlin and Coleman on the Committee under H. C. R. No. 2, to wait on the Governor.

On motion of Mr. Watts, the further consideration of S. R. No. 8 was postponed until to-morrow morning at 10 o'clock.

#### INTRODUCTION AND FIRST READING OF BILLS.

Mr. Weatherford introduced S. B. No. 1, being a bill for an Act to regulate foreign corporations doing business in this State, and to prescribe the powers and duties of such corporations.

Mr. Weatherford moved that the rules be suspended, and the bill be read the first time by title, which motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Lee, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Coleman, Chamberlin and Williams—3.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

On motion of Mr. Simon it was ordered that 250 copies of each bill be printed until otherwise ordered by the Senate.

Mr. Veatch introduced Senate Bill No. 2, being a bill for an Act to limit attorney fees on a written contract.

Mr. Veatch moved that the rules be suspended, and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Barin and Rinehart—2.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Chamberlin, on behalf of the Committee to wait on the Governor, under H. C. R. No. 2, reported that the Governor would meet the Senate and House to-morrow at 10:30 o'clock A. M. in joint convention.

Mr. R. M. Veatch introduced Senate Bill No. 3, being a bill for an Act to incorporate the town of Cottage Grove.

Mr. Veatch moved that the rules be suspended and the bill be read the first time by title, which motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Rinehart—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Irvine introduced Senate Bill No. 4, being a bill for an Act to regulate the rate of interest.

Mr. Irvine moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Cartwright and Rinehart—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Stanley introduced Senate Bill No. 5, being a bill for an Act to establish a Board of Medical Examiners and Licensors, and define their duties and powers.

Mr. Stanley moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President.—28.

Nays—None.

Absent—Cartwright and Rinehart—2.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Hare introduced Senate Bill No. 6, being a bill for an Act to amend Section 347 of Title 4, of Chapter IV. of the Code of Civil Procedure, relating to actions by and against public corporations and officers, which was read the first time and passed to a second reading without a question.

Mr. Dawson introduced Senate Bill No. 7, being a bill for an Act to prevent bulls from running at large, and to protect the improvement and breeding of cattle in certain counties in the State.

Mr. Dawson moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President.—27.

Nays—None.

Absent—Allen, Rinehart and Simon—3.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Chamberlin introduced S. B. No. 8, being a bill for an Act to create a State Board of Charities and Correction, and prescribed its duties.

Mr. Chamberlin moved that the rules be suspended and the bill be read the first time by title, which motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamil-

ton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—28.

Nays—None.

Absent or not voting—Messrs. Rinehart and Weatherford—2.

So the rules were suspended, and the bill was read the first time by title and passed to a second reading without a question.

Mr. Wager introduced S. B. No. 9, being a bill for an Act to regulate the procedure and facilitate the collection of mortgage taxes.

Mr. Chamberlin moved that the rules be suspended, and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Lee introduced Senate Bill No. 10, being a bill for an Act to reimburse certain Counties for moneys paid by them as taxes assessed against mortgages, as recorded in said Counties.

Mr. Lee moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Hare—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Lee introduced S. B. No. 11, being a bill for an Act to amend Section 3, Title 1, Chapter 20, of the Miscellaneous Laws of Oregon.

Mr. Lee moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton,

Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Hare—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Lee introduced Senate Bill No. 12, being a bill for an Act to provide for the purchase of land and the erection of buildings for a Deaf and Mute School.

Mr. Lee moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Hare—1.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Coleman introduced Senate Bill No. 13, being a bill for an Act to amend Section 3, Title 1 of Chapter 50 of the Civil Code, Miscellaneous Laws.

Mr. Coleman moved that the rules be suspended, and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Hare—1.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Barin introduced S. B. No. 14, being a bill for an Act authorizing the assessment and collection of road taxes and the election of Road Supervisors.

Mr. Barin moved that the rules be suspended, and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President.—29.

Nays—None.

Absent—Mr. Hare—I.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Simon introduced S. B. No. 15, being a bill for an Act to authorize the construction of a bridge across the Willamette River between Portland and East Portland.

Mr. Simon moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Cauthorn and Hare—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

This bill was accompanied by a petition of citizens of 1,124 names.

Mr. Cartwright introduced S. B. No. 16, being a bill for an Act to amend the charter of Prineville, Crook County, Oregon.

Mr. Cartwright moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Hare—1.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Shupe introduced S. B. No. 17, being a bill for an Act to amend Section 6, Chapter XLIX., of the General Laws of Oregon,

which was read the first time and passed to a second reading without a question.

This bill was accompanied by a petition of —— citizens.

Mr. Gray introduced S. B. No. 18, being a bill for an Act declaring the sea beach a public highway.

Mr. Gray moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Wager—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Irvine introduced S. B. No. 19, being a bill for an Act to further simplify proceedings in Justices' Courts.

Mr. Irvine moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—28.

Nays—None.

Absent—Coleman and Wager—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Barin introduced S. B. No. 20, being a bill for an Act to prevent fraud in obtaining certificates of registration of live stock.

Mr. Barin moved that the rules be suspended and the bill read the first time by title. The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—29.

Nays—None.



Absent—Mr. Wager—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Chandler introduced S. B. No. 21, being a bill for an Act to protect minors.

The bill was read the first time and passed to a second reading without a question.

On motion of Mr. Shupe, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

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WEDNESDAY, JANUARY 12, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, January 12, 1887. }

Senate met pursuant to adjournment and was called to order by President Carson.

The roll was called and all the Senators were present.

Prayer was offered by Rev. Dr. Hill.

The Journal of yesterday was partially read, and the hour for the meeting of the Joint Convention having arrived, on motion of Mr. Shupe the Senate repaired to the House of Representatives for the purpose of meeting the House in Joint Convention.

JOINT CONVENTION.

The Convention assembled in the hall of the House of Representatives at 10:30 o'clock, pursuant to S. C. R. No. 1.

The Convention was called to order by the President of the Senate.

The Chief Clerk of the Senate called the roll of the Joint Convention.

All Senators were present, except Mr. Wager.

All Representatives were present, except Lafollett of Yamhill, who was reported sick, and Miller of Linn.

Present, 87; absent, 3.

The Speaker of the House read a communication from the Secretary of State as follows:



## COMMUNICATION.

*To the Honorable J. T. Gregg, Speaker of the House of Representatives:*

SIR—I have the honor to transmit herewith the official returns of the vote cast in the several counties of this State on the 7th day of June, 1886, for Governor of the State of Oregon.

Very respectfully,

Your obedient servant,

GEO. W. McBRIDE,

Secretary of State.

On motion of Mr. Weatherford, Senator from Linn, the President appointed a Committee of two to assist in counting the vote for Governor.

Messrs. Hare, Senator from Washington, and Mitchell, Representative from Josephine, were appointed such Committee.

The Speaker of the House then proceeded to canvass the vote for Governor, cast at the general election on the 7th day of June, 1886, from the result of which canvass it was ascertained that the several counties of the State had returned votes as follows for the several candidates for Governor, Sylvester Pennoyer, T. R. Cornelius and J. E. Houston:

COUNTIES.	T. R. COR- NELIUS.	SYLVESTER PENNOYER.	J. E. HOU- TON.	MISCELLANEOUS.
Baker	799	1,124	42	
Benton	905	1,013	152	
Clackamas	1,081	1,294	150	
Clatsop	731	1,002	85	
Columbia	345	359	30	
Coos	792	694	83	
Curry	206	189	9	
Crook	315	529	40	
Douglas	1,088	1,095	274	
Grant	715	863	28	
Gilliam	476	533	27	Williams—1.
Jackson	838	1,275	103	
Josephine	429	500	10	
Klamath	267	326	1	
Lake	185	289	17	
Lane	1,290	1,349	89	
Linn	1,331	1,712	164	
Marion	1,938	1,622	386	
Multnomah	3,281	4,261	351	{ Henry Failing—1 C. H. Le———1 B. Herman—1.
Morrow	529	769	81	
Polk	767	818	138	
Tillamook	246	177	23	
Umatilla	1,154	1,518	124	
Union	1,356	1,578	8	
Wasco	989	1,105	134	
Washington	1,002	825	93	Blank—1.
Yamhill	1,144	1,082	85	
Total	24,199	27,901	2,727	

S. Pennoyer's majority over T. R. Cornelius was 3,702, and majority over all 970.

The Speaker of the House thereupon declared Sylvester Pennoyer duly elected Governor of the State of Oregon.

Mr. Goodsell, Representative from Multnomah, introduced Joint Convention Resolution No. 1 as follows :

JOINT CONVENTION RESOLUTION NO. 1.

*Mr. President*—I move you that a committee of two be appointed, one from the Senate and one from the House, to await upon His Excellency the Governor-elect, Hon. Sylvester Pennoyer, to inform His Excellency that the Legislative Assembly of the State of Oregon have met in Joint Convention, and that the Speaker of the House has canvassed the vote and declared the result thereof. That the Legislative Assembly of the State of Oregon is assembled to witness His Excellency's inauguration, and to receive any message.

The above resolution was on motion of Mr. Goodsell adopted, and Senator Weatherford and Representative Goodsell were appointed such a Committee.

On motion of Senator Miller, a Committee of two were appointed to wait on Governor Z. F. Moody, and inform him that the Joint Convention of the Legislative Assembly was ready to receive his message, or any other communication.

Senator Miller and Representative Davis were appointed such a Committee.

On motion of Mr. Roberts a committee of two were appointed to invite the retiring Secretary of State and State Treasurer, and also the Secretary of State and Treasurer-elect to meet with the Joint Convention.

Senator Rinehart and Representative Roberts were appointed such Committee.

The State officers both retiring, and those elect, together with the Judges of the Supreme Court, having appeared, the retiring Governor (Z. F. Moody) delivered his biennial message and valedictory address.

The oath of office was now administered to Governor-elect Sylvester Pennoyer by Chief Justice Lord of the Supreme Court, whereupon the retiring Governor (Z. F. Moody) presented Sylvester Pennoyer, the incoming Governor, to the Joint Convention.

Governor Pennoyer then duly delivered his inaugural address and message.

On motion of Mr. Simon from Multnomah, the Joint Convention was dissolved.

The Senate returned to the Senate Chamber.

IN THE SENATE.

The Senate being called to order, the President appointed as members of the Joint Committee to examine into the affairs of the State Insane Asylum, pursuant to H. C. R. No. 1, Messrs. Chamberlin and Stanley.

On the Joint Committee to examine the books of the State Treasurer, pursuant to H. C. R. No. 6, the President appointed Messrs. Shupe and Siglin.

On the Joint Committee to examine the books and accounts of the office of Secretary of State and the Board of Land Commissioners, pursuant to H. C. R. No. 8, the President appointed Messrs. Steel and Coleman.

On motion of Mr. Watts, it was ordered that when the Senate adjourn it adjourn to meet to-morrow morning at 10 o'clock.

On motion of Mr. Siglin, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

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THURSDAY, JANUARY 13, 1887.

MORNING SESSION.

SENATE CHAMBER, }  
SALEM, January 13, 1887. }

The Senate met pursuant to adjournment, and was called to order by the President.

The roll was called and all members found to be present, except Messrs. Siglin and Irvine.

Prayer was offered by Rev. M. C. Wire, of Salem.

The remainder of the Journal of Tuesday was read and approved.

The Journal of Wednesday was read and approved.

The courtesies of the Senate were extended to Hons. W. D. Fenton, S. F. Chadwick, R. B. Cochran, J. P. Siphers, R. Clow and R. H. Crawford, and the Sergeant-at-Arms was instructed to provide them with seats within the bar of the Senate.

Senate Resolution No. 8, being now considered by the Senate, and a vote being taken on the substitute, the same was lost, by a vote of ayes and nays, as follows:

Those voting aye were:

Messrs. Coleman, Cauthorn, Dawson, Hare, Irvine, Veatch, Weatherford, Wager—8.

Those voting nay were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Chamberlin, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Watts, Mr. President—22.

So the substitute was declared lost.

A vote by the ayes and nays being taken upon the original Resolution, it was adopted by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Chamberlin, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Watts, Mr. President—22.

Those voting nay were:

Messrs. Coleman, Cauthorn, Dawson, Hare, Veatch, Weatherford, Wager—7.

Blank—1.

Senate Resolution No. 8 was declared adopted.

The President now appointed the Standing Committees of the Senate as follows:

#### SENATE STANDING COMMITTEES.

*Judiciary*—Simon, Hare, Barin, Weatherford, Siglin.

*Ways and Means*—Shupe, Lee, Miller, Rinehart, Chandler.

*Elections*—Emmett, Dimick, Irvine.

*Claims*—Allen, Simon, Chandler.

*Corporations*—Bird, Emmett, Cauthorn.

*Public Lands*—Cartwright, Barin, Stanley.

*Federal Relations*—Gray, Dimick, Veatch.

*Mines*—Stanley, Cartwright, Dawson.

*Printing*—Siglin, Shupe, Williams.

*Railroads*—Miller, Allen, Steel, Coleman, Hamilton.

*Public Buildings*—Hare, Looney, Veatch.

*Roads and Highways*—Dawson, Williams, Stanley, Watts, Weatherford.

*Counties*—Chamberlin, Gray, Hamilton.

*Military Affairs*—Dimick, Chamberlin, Wager.

*Commerce*—Barin, Gray, Rinehart.

*Education*—Watts, Shupe, Cauthorn.

*Engrossed Bills*—Steel, Dawson, Siglin.

*Enrolled Bills*—Williams, Bird, Rinehart.  
*Assessments*—Lee, Hare, Steel, Wager, Coleman.  
*Agriculture*—Looney, Allen, Irvine.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
 SALEM, January 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has appointed on the Committee on Joint Rules under H. C. R. 7 Messrs. R. A. Miller and Wilson.

A. C. JENNINGS,  
 Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
 SALEM, January 12, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. C. R. No. 11, requiring the Joint Committee to count the funds in the hands of the Treasurer, to report the amount of the undiminishable School Fund on hand, and number of applications to borrow money from said fund during last year, has been adopted.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
 Chief Clerk.

On motion of Mr. Hare H. C. R. No. 11 was referred to the Committee on Ways and Means.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
 SALEM, January 12, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. C. R. No. 10, instructing members of both Houses of Congress to support the Interstate Commerce Bill now pending in Washington, has been adopted.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
 Chief Clerk.

On motion of Mr. Hare H. C. R. No. 10 was amended so as to read as follows:

## HOUSE CONCURRENT RESOLUTION NO. 10.

*Resolved by the House, the Senate concurring :*

That our United States Senators and our Representatives in Congress be requested to support the Interstate Commerce Bill now on its passage at Washington, as modified by the Conference Committee.

2. That the Secretary of State be instructed to transmit to our Senators and Representatives in Congress a copy of this Resolution.

The above Resolution as amended was concurred in.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 13, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. C. R. No. 5, that a Committee of four members on the part of the House and three from the Senate be appointed as the Joint Committee on Assessment and Taxation, has passed this House.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Cartwright, H. C. R. No. 5 was referred to the Committee on Assessment and Taxation.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 13, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. C. R. No. 12, that a Joint Committee of four members of the House and three of the Senate be appointed to inspect State Normal School of Monmouth, has been adopted.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Lee, H. C. R. No. 12 was amended by inserting three, instead of four, and two, instead of three, after which said Resolution as amended was concurred in by the Senate.

On motion of Mr. Veatch, the President was authorized to appoint a Reading Clerk.

The President appointed C. B. Moores Reading Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 13, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. J. R. No. 2, to create a Joint Committee, of six of the House and three of the Senate, be appointed to take under advisement and recommend the basis for re-districting the Senatorial and Representative Districts of the State, and report at as early a day as practicable, has been adopted.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Hare, H. J. R. No. 2 was referred to the Judiciary Committee.

The Sergeant-at-Arms was instructed by the President to request the Secretary of State to appear within the bar of the Senate and administer the oath of office to C. B. Moores, as Reading Clerk.

On motion of Mr. Siglin, it was ordered that the Senate employ a Page for Senator Gray, of Clatsop, Columbia and Tillamook. And Andrew Holman was appointed and employed as such Page for Mr. Gray.

At this time the Secretary of State appeared within the bar of the Senate and administered the oath of office to C. B. Moores, as Reading Clerk, to which he subscribed his name.

The Secretary also administered the oath of office to Andrew Holman, as Page for Mr. Gray, to which he subscribed his name.

#### INTRODUCTION AND FIRST READING OF BILLS.

Mr. Wager introduced S. B. No. 22, being a bill for an Act to provide for the appointment and prescribe the duties and fix the compensation of stenographers in the Circuit Courts of the State.

Mr. Wager moved that the rules be suspended and the bill be read first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmitt, Gray, Hare, Hamil-

ton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veath, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays--None.

So the rules were suspended, the bill was read the first time by title and passed to a second reading without a question.

Mr. Dawson introduced S. B. No. 23, being a bill for an Act to create and establish a Board of Railroad Commissioners and to define and regulate its powers.

Mr. Dawson moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

So the rules were suspended, the bill was read the first time by title and passed to a second reading without a question.

Mr. Weatherford introduced S. B. No. 24, being a bill for an Act to amend Section 392, Title I of Chapter V of the Code of Civil Procedure of the State of Oregon.

Mr. Weatherford moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Coleman introduced S. B. No. 25, being a bill for an Act for a general incorporation Act for cities and towns.

Mr. Coleman moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamil-



ton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Chamberlin introduced S. B. No. 26, being a bill for an Act entitled an Act to amend Sections 6, 8, 9, 16, 23, of the charter of the city of Salem.

Mr. Chamberlin moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Veatch—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Emmett introduced S. B. No. 27, being a bill for an Act to provide for constructing cattle crossings under public roads and highways.

The bill was read the first time, and passed to a second reading without a question.

Mr. Siglin introduced S. B. No. 28, being a bill for an Act to exempt homesteads from attachments and judicial sale.

The bill was read the first time, and passed to a second reading without a question.

Mr. Gray introduced S. B. No. 29, being a bill for an Act to regulate the salmon fisheries in the State of Oregon.

Mr. Siglin moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Barin—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

On motion of Mr. Watts the Senate adjourned.

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### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Carson in the Chair.

Roll was called, all present except Gray and Rinehart.

On motion of Mr. Simon, it was ordered that 1,000 copies of Governor Moody's message, and the same number of Governor Penoyer's inaugural be printed.

On motion of Mr. Hare 100 copies of the Rules and Joint Rules and Standing Committees were ordered printed.

### INTRODUCTION AND FIRST READING OF BILLS.—CONTINUED.

Mr. Hare introduced S. B. No. 30, being a bill for an Act to amend Section 5, Title I., Chapter L., of the Miscellaneous Laws of Oregon.

Mr. Hare moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote.

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Bird introduced S. B. No. 31, being a bill for an Act to provide for sealer of weights and measures for the different Counties of the State.

Mr. Bird moved that the rules be suspended and the Bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamil-

ton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Mr. President—29.

Nays—None.

Absent—Mr. Watts—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Chamberlin introduced S. B. No. 32, being a bill for an Act to authorize County Courts to appoint Road and Bridge Commissioners and define their duties.

Mr. Chamberlin moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Cartwright introduced S. B. No. 33, being a bill for an Act to redistrict the State into Senatorial and Representative Districts.

Mr. Cartwright moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Emmett—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Dawson introduced S. B. No. 34, being a bill for an Act to amend Section 22 of Chapter L., Title I. of the Miscellaneous Laws.

Mr. Dawson moved that the rules be suspended, and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamil-

ton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Wager introduced S. B. No. 35, being a bill for an Act for the protection of live stock.

Mr. Wager moved that the rules be suspended, and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Chandler introduced S. B. No. 36, being a bill for an Act entitled an Act to regulate and restrain the employment of aliens by public corporations.

The bill was read the first time, and passed to a second reading without a question.

Mr. Simon introduced S. B. No. 37, being a bill for an Act to provide for the publication of the decisions of the Supreme Court.

Mr. Simon moved that the rules be suspended, and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Rinehart—1.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Wager introduced S. B. No. 38, being a bill for an Act to regulate the rate of interest.

The bill was read the first time, and passed to a second reading without a question.

Mr. Emmett introduced S. B. No. 39, being a bill for an Act to amend Section 7, Title I., Chapter L., of the Miscellaneous Laws of Oregon.

The bill was read the first time, and passed to a second reading without a question.

Mr. Steel introduced S. B. No. 40, being a bill for an Act to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the City of Portland.

The bill was read the first time, and passed to a second reading without a question.

Mr. Gray introduced S. B. No. 41, being a bill for an Act to prescribe the fees of witnesses in Clatsop County.

The bill was read the first time, and passed to a second reading without a question.

Mr. Allen introduced S. B. No. 42, being a bill for an Act to establish a Reform School for boys.

Mr. Allen moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Hamilton introduced S. B. No. 43, being a bill for an Act for the selection and sale of State lands.

Mr. Hamilton moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Dawson introduced S. B. No. 44, being a bill for an Act to amend Sections 1, 3, 4, 5 and 6, of an Act entitled an Act for the protection of fish and game.

Mr. Dawson moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Wager and Coleman—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Coleman introduced S. B. No. 45, being a bill for an Act to amend Sections 572 and 575, Title I. Chapter VII. of the Code.

Mr. Coleman moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Wager—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Simon introduced S. B. No. 46, being a bill for an Act to prevent and regulate forest and other fires.

Mr. Simon moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—28.

Nays—None.

Absent—Siglin and Wager—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Allen introduced S. B. No. 47, being a bill for an Act to amend Sections 491 and 494 of the Code of Civil Procedure.

Mr. Allen moved that the rules be suspended and the bill be read

the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Cauthorn and Siglin—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Steel introduced S. B. No. 48, being a bill for an Act entitled an Act to provide a Code of Procedure in the matter of ascertaining, etc., disputed boundary lines.

Mr. Steel moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Coleman, Chandler and Siglin—3.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Weatherford introduced S. B. No. 49, being a bill for an Act to amend Section 32 of Chapter VII of the Miscellaneous Laws of Oregon.

The bill was read the first time, and passed to a second reading without a question.

Mr. Dawson introduced S. B. No. 50, being a bill for an Act to repeal an Act entitled an Act to protect certain birds of the pheasant kind.

The bill was read the first time, and passed to a second reading without a question.

Mr. Chamberlin introduced S. B. No. 51, being a bill for an Act to make the present main channel of the Willamette River the boundary line between the counties of Polk and Marion.

Mr. Chamberlin moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn,



Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Chandler, Rinehart and Siglin—3.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Miller introduced S. B. No. 52, being a bill for an Act to amend Sections 2 and 3 of an Act to regulate the transportation of passengers and freight.

Mr. Miller moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Wager, Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Allen introduced S. B. No. 53, being a bill for an Act to amend Section 4 of an Act entitled an Act to regulate the transportation of freight and passengers by railroad companies.

The bill was read the first time and passed to a second reading without a question.

Mr. Simon introduced S. B. No. 54, being a bill for an Act to amend Section 1 of an Act to authorize foreign corporations to do business in this State.

Mr. Simon moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Chandler—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Simon introduced S. B. No. 55, being a bill for an Act to amend Section 5 of Chapter VII. of the Miscellaneous Laws of Oregon.



Mr. Simon moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote :

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Allen and Stanley—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 13, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the Senate amendment to H. C. R. No. 12 has been concurred in by the House.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 13, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. J. R. 3, that a Committee of 2 on the part of the House and 1 on the part of the Senate be appointed to investigate the manner in which the fish ladder at the falls of the Willamette at Oregon City, has been adopted.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Hare H. J. R. No. 3, after being read, was laid on the table until 10 o'clock to-morrow morning.

Mr. Lee introduced an amendment to Senate rules, a substitute to Rule 4, as follows:

#### AMENDMENT TO RULE 4.

RULE 4. Twenty standing Committees to consist of three mem-

bers each, except the Committees on Judiciary, Ways and Means, Roads and Highways, Railroads, and Assessments, which shall consist of five members each, to be appointed at the commencement of the session, viz:

- A Committee on Judiciary.
- A Committee on Ways and Means.
- A Committee on Elections.
- A Committee on Claims.
- A Committee on Corporations.
- A Committee on Counties.
- A Committee on Military Affairs.
- A Committee on Commerce.
- A Committee on Education.
- A Committee on Engrossed Bills.
- A Committee on Enrolled Bills.
- A Committee on Roads and Highways.
- A Committee on Public Lands.
- A Committee on Federal Relations.
- A Committee on Public Buildings.
- A Committee on Assessments.
- A Committee on Mining.
- A Committee on Printing.
- A Committee on Railroads.
- A Committee on Agriculture.

All standing Committees shall be appointed by the President, except the Committees on Judiciary, Ways and Means, Public Lands, Assessments, and Railroads, which shall be elected by the Senate by ballot, and shall each select its own Chairman.

All special Committees shall be appointed by the President, unless otherwise ordered by the Senate, in which case they shall be appointed by ballot.

On motion of Mr. Lee 100 copies were ordered printed, and the resolution or amendment was laid over under the rules.

On motion of Mr. Gray S. J. R. No. 1, was taken up, and after the same was read it was, on motion of Mr. Gray, adopted by a vote of ayes and nays.

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—Dimick—1.

Absent—Barin—1.

Mr. Weatherford on the part of the Committee to draft Joint Rules

for the government of both Houses, made the following report which was adopted:

REPORT.

*Mr. President*—We, your Committee on the part of the Senate appointed to confer with a like Committee on the part of the House in regard to Joint Rules, beg leave to report, that we recommend the adoption of the Joint Rules of the last regular session.

J. C. CARSON,

J. K. WEATHERFORD,

Committee on part of the Senate.

Mr. Veatch introduced Senate Joint Resolution No. 3, as follows:

SENATE JOINT RESOLUTION NO. 3.

WHEREAS, By the Act approved October 18, 1878, all former laws in regard to the sale and disposal of swamp and overflowed or tide lands by the State of Oregon were repealed, and it was provided by the said Act of 1878 that thereafter no one person should become the purchaser from the State of Oregon of more than three hundred and twenty acres of such swamp and overflowed or tide lands; and,

WHEREAS, By said Act of 1878 all prior applications for the purchase of swamp and overflowed or tide lands were declared "void and of no force or effect whatever," unless the applicant had made the first payment of 20 per centum of the purchase price prior to the date of the passage of said Act of 1878; and,

WHEREAS, The amount of the 20 per cent. payment of the purchase price of such lands that were made prior to the passage of the Act of 1878 was comparatively small, as is shown by the State Treasurer's official reports; and,

WHEREAS, The Legislature had the right and full power, and it was wise and prudent and to the best interests of the State for the Legislature to cancel and cut off, as it did by said Act of 1878, all prior applications for the purchase of such lands in cases where no part of the purchase money had been paid; and,

WHEREAS, Persons in different parts of the State are settling up claims to and are claiming vast tracts amounting to millions of acres of the most valuable lands of the State as such swamp and overflowed or tide lands, contrary to the laws of the State and against the provisions of said Act of 1878, to the exclusion of actual settlers and to the great damage of the State; therefore,

*Be it Resolved by the Senate, the House concurring :*

That a Joint Committee of five be and the same is hereby appointed, to consist of Senators Dimick and Wager on the part of the Senate, and Representatives McLean, Daly and Hicks on the part of the House, to examine the books and records of the offices of the State Treasurer and "Board of Commissioners for the Sale of School and University Lands and for the Investment of the Funds Arising Therefrom," and to report at this session, upon what applications for the purchase of swamp and overflowed or tide lands any part of the purchase price, and what part was paid prior to January 17, 1879, the date when said Act of 1878 went into effect, giving the amount and description as near as may be, of the lands upon which such payments, prior to January 17, 1879, were made, with the names of the persons making such payments and the date of the same, and the date when the application was filed; and to report whether, since the 17th day of January, 1879, the State Treasurer or said Board of Commissioners has received any payments of any part of the purchase price of such lands, or, since said date, has issued to any person any receipt, certificate, patent, deed, or other evidence of title, for a greater quantity of such lands than three hundred and twenty acres to any one person, in cases where no part of the purchase money was paid prior to January 17, 1879, to whom any such receipt, certificate, patent, deed, or other evidence of title was issued, and for what amount of lands in each case, and the date thereof; and by what authority any officer of the State, since the 17th day of January, 1879, has issued any such receipt, certificate, patent, deed, or other evidence of title to a greater quantity of such lands than three hundred and twenty acres to any one person, in cases where no part of the purchase price was paid prior to January 17, 1879; and to report a list of the applications to purchase such swamp and overflowed or tide lands that were filed prior to January 17, 1879, and upon which no payment or any part of the purchase price was made prior to said 17th day of January, 1879, the date when said Act of 1878 went into effect. That such Committee have power to employ a clerk at such price as shall be agreed for by the Committee, and shall have leave to report to either House at any time.

Mr. Simon moved to refer S. J. R. No. 3 to the Committee on Public Lands.

On this question the ayes and nays were called for by Messrs. Veatch and Dimick.

The roll was called, and those voting aye were:

Messrs. Barin, Cartwright, Emmett, Miller, Shupe, Simon, Stanley, Steel, Williams, Mr. President—10.

Those voting nay were:

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Veatch, Weatherford, Wager—18.

Absent—Messrs. Siglin and Watts—2.

So the motion to refer was declared lost.

On motion of Mr. Veatch, S. J. R. No. 3 was adopted by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

The courtesies of the Senate were extended to ex-Governor Woods, and the Sergeant-at-Arms was instructed to provide him with a seat within the bar of the Senate.

Mr. Watts introduced

#### SENATE RESOLUTION NO. 10,

As follows:

*Resolved*, That the Committees on Judiciary, Engrossment, Enrollment, Commerce, Education and Roads and Highways be empowered to select a sufficient number of good and competent Clerks for each of said Committees, to perform all the clerical duties thereof.

Which, on motion, was amended so as to include the following Committees: Claims, Ways and Means, Assessment and Taxation, Railroads, Public Buildings and Grounds, Counties, Mining and Federal Relations.

On motion of Mr. Watts, S. R. No. 10 was adopted unanimously, as amended.

Mr. Wager introduced S. C. R. No. 2, as follows:

#### SENATE CONCURRENT RESOLUTION NO. 2.

*Be it Resolved by the Senate, the House Concurring:*

That a Joint Special Committee of Reapportionment and Redistricting the State, for the purpose of representation in the Legislature, be appointed, to consist of three members of the Senate and six members of the House, to which Committee all reapportionment bills, or bills for redistricting the State for representative purposes

shall be referred. And said Committee is hereby instructed to examine all such bills, and to report a bill to redistrict the State and reapportion the representation to the Legislature therein, said bill to be reported not later than January 24, 1887.

On motion of Mr. Weatherford, S. C. R. No. 2 was referred to the following Special Committee, viz.: Messrs. Weatherford, Miller and Lee.

Mr. Irvine introduced Senate Joint Memorial No. 1, as follows:

SENATE JOINT MEMORIAL NO. 1.

*To the Honorable Senate of the United States:*

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that the continued immigration, or rather importation of Coolie slaves of Chinese laborers to this State, is a violation of treaty stipulations, which provide that such immigration shall be voluntary, and is a very serious injury to the laboring classes, not only of our State, but of the entire Pacific Coast, by the reduction of wages to starvation prices; that such importation of said Chinese and other Asiatic slave labor tends to drive white and all other free labor out of our country, and ultimately compel all who subsist by manual labor to the alternative of choosing between starvation and crime; that at least seventy-five per cent. of all the earnings of said Chinese or Coolie slave labor, instead of being in our midst, and thus contributing to our prosperity, is sent to China, *never to return*, thus withdrawing the coin from our country and rapidly decreasing our circulating medium, to the great injury of the best interest of this State, and of the entire Pacific Coast; that such Chinese laborers do not contribute to the wealth and prosperity of the country by the acquisition of property and the payment of taxes, but by pauperism and crime are a continual source of expense to the country and municipalities of this State; that the treaty now existing between the United States and China has never been maintained on the part of China, in accordance with its intent and meaning; the right of free migration and immigration, which it recognizes, was to be entirely voluntary and to be exercised in view of expatriation. The Chinese have no right to be admitted under the circumstances in which they come here; they are usually brought in a condition of semi-slavery, and obligated to perform a term of servitude.

The privilege accorded to contracting parties was upon condition that the immigration to either country, by the citizens or subjects of the other, should be a voluntary individual act; China has wholly failed to have that consideration observed, and the United States

ought to revoke the privilege; therefore, we, your said memorialists, pray your Honorable Body to modify the treaty between the United States and the Empire of China so as to stop and prohibit the importation or immigration of Chinese and other Asiatic laborers to this Coast altogether, and to adopt such lawful means as are necessary to rid the country of those already here.

On motion of Mr. Simon, S. J. M. No. 1 was ordered printed.

Mr. Irvine introduced Senate Joint Memorial No. 2, as follows:

SENATE JOINT MEMORIAL NO. 2.

*Resolved by the Senate, the House concurring:*

That the following memorial be directed to the Senators and Representatives from the State of Oregon in Congress assembled, and that they be instructed to urge upon Congress an early action thereon:

*To the Honorable Congress of the United States of America:*

Your memorialist, the Legislative Assembly of the State of Oregon, respectfully represent:

That within the grants of lands made by Congress to the various railroad and wagon road companies, to aid in the construction of their roads, there are vast areas of excellent agricultural land lying within the various States and Territories through which said roads were intended to pass, which, by reason of said grants, have been for years and now are withheld from settlement to the great detriment of the public interest of the whole country, and especially the State and Territories in which said lands are situated.

That said companies have, in a great many instances, failed to construct their roads through many portions of said lands in accordance with the conditions upon which said grants were made to them. That, in the judgment of your memorialists, because of the non-compliance of said companies with the conditions of their respective grants, they have justly incurred a forfeiture of such portions of their respective grants through which such roads still remain unconstructed.

Therefore, your memorialists, on the part of the people of Oregon, urge upon your Honorable Body, as a matter which the people of this State and all the States and Territories may justly demand as right, to adopt some speedy legislation declaring such lands as have not been earned by said companies in accordance with the conditions imposed by Congress, withdrawn from such grants, and that the same be speedily thrown open for settlement by the people.

On motion, of Mr. Simon, S. J. M. No. 2 was ordered printed.



On motion of Mr. Hare, it was ordered that the Committee on Public Buildings and Grounds be instructed to consider the matter of ventillating the Senate Chamber, and that they be empowered to report by bill or otherwise.

Mr. Rinehart introduced S. J. R. No. 4, as follows:

SENATE JOINT RESOLUTION NO. 4.

WHEREAS, By an Act of the Legislative Assembly of the State of Oregon, approved November 25, 1885, the sum of (\$15,000) fifteen thousand dollars was appropriated from the funds of the State to construct a wagon road from Hogem, in Union County, to Cornucopia, in said County, known as the Pine Creek Wagon Road; and,

WHEREAS, Under the said Act D. P. McDaniel, of Union County, Colvin Campbell, of Baker County, and Daniel Chaplin, of Union County, were appointed and constituted a Commission to construct said road and expend said money; and,

WHEREAS, Said Act of the Legislative Assembly provided, and made it the duty of said Commissioners to report to the Secretary of State on or before the first day of September, A. D., 1886, giving an account of their acts in the premises, and giving an itemized account of all the money expended by them; and,

WHEREAS, The said Board has failed or neglected to file said report as required by law; therefore, be it

*Resolved by the Senate, the House concurring:*

First—That there be appointed a Committee, consisting of two on the part of the Senate, and three on the part of the House, to take evidence as to whether said Commissioners have constructed and completed said road according to law, to ascertain and report as to the disposition of any and all of the money appropriated under said Act, and to report the evidence so taken, as also their findings of fact in the premises, to this Legislative Assembly as early as practicable.

Second—That said Committee be and is hereby authorized and empowered to employ a Clerk, to send for persons and papers, to issue subpoenas, to be served by the Sergeant-at-Arms of the House, to compel the attendance of witnesses, and that the Chairman or Clerk of said Committee be authorized to administer oaths to witnesses before said Committee.

Third—That said Committee be and is hereby authorized and empowered to certify to the Secretary of State the amount of the mileage per diem of witnesses, and the per diem of the Clerk, who, upon



said certificates is authorized and empowered to issue warrants in payments of the same.

The same was ordered printed.

On motion of Mr. Lee S. J. R. No. 2 was taken up for consideration.

Mr. Gray moved to adopt S. J. R. No. 2.

On motion of Mr. Gray S. J. R. No. 2 was amended, by inserting therein "two from the Senate," instead of three, and "three from the House" instead of six.

On the adoption of S. J. R. No. 2, the roll was called and those voting aye were:

Messrs. Allen, Barin, Bird Coleman, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Cartwright and Chamberlin—2.

So S. J. R. No. 2 was declared adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 13, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that S. J. R. No. 1 has been concurred in by the House, and the Speaker has appointed the following Committee on the part of the House, viz.: Palmer, Holland, Stafford, Smith, Harrington, Layman, Vanderpool, Haley, Mitchell, I. D. Miller.

And the same is herewith transmitted.

A. C. JENNINGS,  
Chief Clerk.

Mr. Chandler introduced S. J. R. No. 5, as follows:

#### SENATE JOINT RESOLUTION NO. 5.

WHEREAS, Our stock ranges are fast becoming extinct; and

WHEREAS, Certain parties, not citizens of the United States, are occupying and using large portions of our public domain in herding and rearing stock, to the detriment of the public interests and the interests of the citizens of the United States, be it

*Resolved by the Senate, the House concurring:*

That our Senators and Representatives in Congress are requested to use all honorable means to bring before that Honorable Body, for

its consideration and action, measures to prohibit any person or persons, who are not citizens of the United States, or who have not declared their intentions to become citizens, or any company or corporation which is wholly, or in part, owned or controlled by any person or persons who are not citizens of the United States, or who have not declared their intentions to become citizens, from using the public domain for the purpose of herding or rearing any live stock.

*Resolved*, That the Secretary of State be and is hereby instructed to forward to each Senator and Representative from the State of Oregon at Washington a copy of this Resolution.

The above Resolution was ordered printed.

Mr. Stanley introduced

#### SENATE JOINT RESOLUTION NO. 6,

As follows:

*Be it Resolved by the Legislative Assembly of the State of Oregon:*

That House Joint Resolution No. 5, passed February 17, 1885, providing for and empowering the Governor to appoint an Advisory Board of Pardons, be and the same is hereby repealed.

The same was ordered printed.

Mr. Cauthorn moved that when the Senate do adjourn, it adjourn to meet Monday at 2 o'clock P. M., which was carried.

On motion of Mr. Allen, the Committee on Claims was empowered to employ a clerk.

On motion of Mr. Siglin, the motion by which it was ordered that when the Senate adjourn, it adjourn to meet at 2 o'clock P. M. next Monday, was reconsidered and upon a vote being taken on the original question the same was lost.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, January 12, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has appointed on the Joint Committee to examine the books of the State Treasurer on the part of the House, Messrs. Roberts, McCully and Mayer.

A. C. JENNINGS,  
Chief Clerk.

The courtesies of the Senate were extended to Mr. James Hender-shot and the Sergeant-at-Arms was ordered to furnish him with a seat within the bar.

On motion of Mr. Simon, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

FRIDAY, JANUARY 14, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, January 14, 1887. }

The Senate met and was called to order by the President at 10 o'clock A. M.

The roll was called, and the Senators were all present, except Messrs. Barin and Cauthorn, and Senator Coleman was absent on leave.

Prayer was offered by Rev. J. W. Webb.

The Journal of yesterday was read and approved.

Mr. Weatherford, Chairman of the Special Committee to whom was referred S. C. R. No. 2, reported the following substitute for said Resolution:

## SENATE CONCURRENT RESOLUTION NO. 2.

*Be it Resolved by the Senate, the House concurring:*

That a Joint Special Committee on reapportionment and redistricting the State for the purpose of representation in the Legislature be appointed, to consist of two from the majority and two from the minority parties of the Senate, and three from the majority and two from the minority parties on the part of the House, to which Committee all apportionment bill or bills for redistricting the State for representative purposes shall be referred. And said Committee is hereby instructed to examine all such bills, and to report a bill to redistrict the State and reapportion the representation to the Legislature therein. Said bill to be reported not later than January 24, 1887.

On motion of Mr. Weatherford the substitute as S. C. R. No. 2 was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 13, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has appointed on the Joint Committee to investigate into Monmouth Normal School, Messrs. Wilson, Gubser, Bilyeu.

A. C. JENNINGS,  
Chief Clerk.

The President at this time, under S. J. R. No. 1, appointed Messrs. Gray, Chamberlin, Shupe, Rinehart and Veatch on the Joint Committee to visit the Dalles on the Columbia River, and inspect the Government works at the Cascades.

The President appointed under S. J. R. No. 2, Messrs. Allen and Wager on the Joint Committee to protect the fishing interests of the State.

The President appointed under H. C. R. No. 12, Messrs. Watts and Stanley on Joint Committee to inspect the State Normal School of Monmouth.

Mr. Wager introduced Senate Resolution No. 11, as follows:

#### SENATE RESOLUTION NO. 11.

*Be it Resolved by the Senate of the Legislative Assembly of Oregon:*

*Resolved,* That in all cases where male Committee Clerks are employed by any of the Standing Committees of this Senate, ex-Union soldiers, if such apply for positions and are competent, shall in all cases be preferred.

On motion of Mr. Weatherford, S. R. No. 11 was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 13, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has appointed on the Joint Committee to examine the books of the Secretary of State on the part of the House, Messrs. Pomeroy, Harris and R. A. Miller.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 13, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has appointed the following members on the part of the House on the Joint Committee to visit the Asylum and inspect the workings of the same, viz: Messrs. Roberts, Wilson and Holmes.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Gray President Carson was appointed a member of the Committee, heretofore appointed under S. J. R. No. 1, to visit the Dalles, and made Chairman thereof.

On motion of Mr. Weatherford H. J. R. No. 3 was taken from the table, and Mr. Weatherford introduced the following substitute to the aforesaid Resolution:

## HOUSE JOINT RESOLUTION NO. 3.

*Resolved by the House, the Senate concurring:*

That a Committee of three on the part of the House and two on the part of the Senate, be appointed to investigate the manner in which the fish ladder, at the Falls of the Willamette, at Oregon City, was built; the actual cost of its construction, and the manner in which the money appropriated by the State of Oregon, for that purpose, was expended, and that the Committee have power to send for persons and papers, to administer oaths, and report their findings, together with the evidence to their respective Houses.

On motion of Mr. Weatherford the substitute was adopted as the original Resolution, by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—27.

Those voting nays were:

Mr. Wager—1.

Absent—Messrs. Coleman and Cauthorn—2.

Mr. Lee introduced Senate Concurrent Resolution No. 3, as follows:

## SENATE CONCURRENT RESOLUTION NO. 3.

*Resolved by the Senate, the House concurring:*

That the Joint Committee, or Columbia River Improvement Committee, is hereby authorized to appoint a clerk, for a period of ten days, to assist in making up the Committee's report.

On motion of Mr. Lee S. C. R. No. 3 was adopted.

On motion of Mr. Simon, it was ordered that when the Senate adjourn it adjourn to meet next Monday at 2 o'clock P. M.

Messrs. Hare and Bird were granted leave of absence until next Monday at 7 o'clock P. M., and Mr. Rinehart until next Tuesday at 2 o'clock P. M.

Mr. Allen introduced

## SENATE RESOLUTION NO. 12,

As follows:

WHEREAS, Having been informed by the Chief Clerk of the Senate that the lock to the bill desk is unsafe; therefore, be it

*Resolved*, That the Sergeant-at-Arms be instructed by the President to procure suitable locks for the same.

On motion of Mr. Allen, it was adopted.

On motion of Mr. Shupe, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

MONDAY, JANUARY 17, 1887.

## AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, January 17, 1887. }

The Senate met pursuant to adjournment, and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Bird, Siglin, Hare and Wager, Messrs. Bird and Hare being absent on leave.

Prayer was offered by Rev. H. A. Newell.

The Journal of Friday, January 14, 1887, was read and approved.

Mr. Lee, Chairman of Committee on Assessments, made report on H. C. R. No. 5 as follows, to-wit:

SENATE CHAMBER,  
SALEM, January 17, 1887. }

*Mr. President*—Your Committee on Assessments, to whom was referred H. C. R. No. 5, have considered the same and recommend that it do pass with the following

## AMENDMENT.

Strike out the words "of four members of the House and three from the Senate," and insert in lieu thereof "composed of the Standing Committees of the House and Senate on Assessments."

Respectfully submitted,

J. D. LEE,  
Chairman Committee on Assessments.

On motion of Mr. Lee, the report of the Committee was adopted and H. C. R. No. 5 was concurred in as amended.

Mr. Watts read the following

COMMUNICATION.

OFFICE OF WILLAMETTE FARMER PUB. CO., }  
SALEM, January 14, 1887. }

*To the Honorable President of Senate, Oregon Legislature:*

DEAR SIR—It has been our custom for years past to supply each member of the Senate with a copy of the *Willamette Farmer* during the session of the Legislature free of all charges. We take pleasure in handing you herewith thirty copies, and request that you have one copy placed upon each member's desk, and we will consider it a favor if you will have it announced that we make no charges for the same.

Yours very respectfully,

WILLIAM J. CLARKE,  
Secretary.

On motion of Mr. Watts, a vote of thanks was tendered the Willamette Farmer Publishing Company.

Mr. Barin gave notice of his intention at some future time to amend Rule 4 as follows:

I hereby give notice that I intend to move to amend Rule 4 of the Senate so as to provide that the Committee on Public Lands shall consist of five members instead of three members as now provided by said Rule.

Mr. Lee asked that his substitute to Rule 4 be taken from the table, there being no objection the same was so ordered.

Mr. Lee moved to adopt the substitute to Rule 4.

Pending the motion Mr. Weatherford moved to lay the same on the table, by vote of the Senate it was so ordered.

Mr. Shupe, Chairman of the Committee on Ways and Means, made report as follows:

REPORT.

SENATE CHAMBER, }  
SALEM, January 17, 1887. }

*Mr. President*—Your Committee on Ways and Means, to whom was referred House Concurrent Resolution No. 11, beg leave to report that they have had the same under consideration, and would

respectfully report back to the Senate the amended Resolution herewith, with the recommendation that it do pass.

JOHN H. SHUPE,  
Chairman.

H. C. R. No. 11 as amended by the Committee on Ways and Means is as follows, to-wit:

#### HOUSE CONCURRENT RESOLUTION NO. 11.

*Be it Resolved by the House of Representatives of the State of Oregon, the Senate concurring:*

That the Joint Committee appointed to examine the books of the State Treasurer be and are hereby instructed to report the amount of the irreducible School Fund of this State now on hand, and the amount on hand at the first of each month during the last year, and also report the number of applications to borrow money from said funds during the last year, the number and amount of loans made, and the number of applications rejected during the same period and to report the grounds of their rejection.

On motion of Mr. Shupe, the report of the Committee was adopted and H. C. R. No. 11 was concurred in as amended.

#### INTRODUCTION AND FIRST READING OF BILLS.

Mr. Chandler introduced S. B. No. 56, being a bill for an Act to regulate the payment of losses by fire insurance companies.

The bill was read the first time and passed to a second reading without a question.

Mr. Siglin introduced S. B. No. 57, being a bill for an Act to authorize County Courts to expend County money in the construction of County Roads.

Mr. Siglin moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Rinehart, Hare, Miller and Bird—4.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question,



Mr. Watts introduced S. B. No. 58, being a bill for an Act of relief to Joel J. Hembree to pay Territorial warrants.

The bill was read the first time and passed to a second reading without a question.

Mr. Emmett introduced S. B. No. 59, being a bill for an Act to increase the efficiency of our Common Schools.

The bill was read the first time and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. C. R. No. 13 has been adopted January 13, providing for a Joint Committee, consisting of three on the part of the House and two on the part of the Senate, to investigate the manner of State printing for the past two years.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. C. R. No. 13, accompanying the foregoing message, was read, and on motion of Mr. Lee the Senate concurred in the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. C. R. No. 14, appointing a Committee of three on the part of the House and two on the part of the Senate to visit the Deaf Mute School, has been adopted by the House.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

The Resolution accompanying the foregoing message was read, and on motion of Mr. Simon the Senate concurred in H. C. R. No. 14.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that S. J. R. No. 2 has been concurred in by this House.

And the same is herewith returned.

A. C. JENNINGS,  
Chief Clerk.

## FIRST READING OF SENATE BILLS.

Mr. Watts introduced S. B. No. 60, being a bill for an Act to regulate the sale of spirituous, malt or vinous liquors.

Mr. Watts moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Bird, Cartwright and Hare—3.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Dawson introduced S. B. No. 61, being a bill for an Act to amend Sections 5 and 7 of Chapter XVI. of the Miscellaneous Laws of Oregon.

The bill was read the first time, and passed to a second reading without a question.

Mr. Wager introduced S. B. No. 62, being a bill for an Act to authorize Board of Commissioners for Sale of School and University Lands to employ agent in La Grande district.

The bill was read the first time, and passed to a second reading without a question.

Mr. Miller introduced S. B. No. 63, being a bill for an Act to amend an Act to regulate the salaries of the County Judges.

Mr. Miller moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Coleman, Cartwright, Chandler, Cauthorn,

Chamberlin, Dawson, Dimick, Emmett, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Mr. President—25.

Nays—None.

Absent—Messrs. Bird, Gray, Stanley, Watts and Hare—5.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Wager introduced S. B. No. 64, being a bill for an Act to check the spread of thistles in the State of Oregon.

Mr. Wager moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Bird, Hare, Stanley and Williams—4.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Dimick introduced S. B. No. 65, being a bill for an Act to prohibit the sale of tobacco to minors under the age of eighteen years.

The bill was read the first time and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. C. R. No. 15 has been adopted by this House, providing for a Joint Committee, to consist of three members from the House and two from the Senate, in regard to the Governor's message.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. C. R. No. 15, accompanying the foregoing message, was read, and is as follows:

*Resolved by the House, the Senate concurring:*

That there be appointed a Joint Committee of both Houses, to

consist of three members from the House and two from the Senate, to which shall be referred so much of the Governor's message as refers to Chinese or Coolie labor, and that said Committee have permission to report at any time, by bill or otherwise.

On motion of Mr. Simon H. C. R. No. of 15, was concurred in.

Mr. Steel introduced S. B. No. 66, being a bill for an Act to regulate the practice of dentistry in the State of Oregon.

Mr. Steel moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote :

Those voting aye were :

Messrs. Allen, Barin, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Bird, Hare and Williams—3.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Simon introduced S. B. No. 67, being a bill for an Act to authorize County Courts to build armories in cities of 10,000 inhabitants.

The bill was read the first time, and passed to a second reading without a question.

Mr. Gray introduced S. B. No. 68, being a bill for an Act to amend Section 8, of Chapter VIII. of the Miscellaneous Laws of Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Stanley introduced S. B. No. 69, being a bill for an Act to amend Sections 16 and 17 of Title III. of Chapter XXXI. of the Miscellaneous Laws of Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Wager introduced S. B. No. 70, being a bill for an Act to regulate the rates of freight on railroads in the State of Oregon.

Mr. Wager moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote :

Those voting aye were :

Messrs. Allen, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Bird and Hare—3.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Steel introduced S. B. No. 71, being a bill for an Act to amend Sections 2 and 3 of Chapter XXIV. of the General Laws of Oregon.

The bill was read the first time, and passed to a second reading without a question.

Mr. Gray introduced S. B. No. 72, being a bill for an Act to provide for the propagation and preservation of salmon in the public waters of the State.

Mr. Gray moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Allen, Bird, Hare and Wager—4.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Steel introduced S. B. No. 73, being a bill for an Act to amend Section 1 and to repeal Section 3 of an Act entitled an Act to regulate the passage of bicycles, tricycles, etc.

The bill was read the first time, and passed to a second reading without a question.

Mr. Stanley introduced S. B. No. 74, being a bill for an Act to repeal an Act to provide for the appointment of a Board of Immigration.

The bill was read the first time, and passed to a second reading without a question.

Mr. Dawson introduced S. B. No. 75, being a bill for an Act to amend an Act entitled an Act to amend Section 20 of Title I. of Chapter VII. of the Miscellaneous Laws of Oregon.

The bill was read the first time, and passed to a second reading without a question.

Mr. Gray introduced S. B. No. 76, being a bill for an Act to provide for the erection and support of a fish hatchery.

The bill was read the first time, and passed to a second reading without a question.

Mr. Gray introduced S. B. No. 77, being a bill for an Act to prevent false labeling and branding of fish.

The bill was read the first time, and passed to a second reading without a question.

Mr. Irvine introduced S. B. No. 78, being a bill for an Act to organize a Board of Railroad and Corporation Commissioners.

Mr. Irvine moved that the rules be suspended, and the bill be read the first time by title, and the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Bird and Hare on leave.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Steel introduced S. B. 79, being a bill for an Act for the relief of R. T. Murphy.

The bill was read the first time, and passed to a second reading without a question.

Mr. Coleman introduced S. B. No. 80, being a bill for an Act defining vagrants and providing a penalty for vagrancy.

The bill was read the first time, and passed to a second reading without a question.

On motion of Mr. Siglin the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

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TUESDAY, JANUARY 18, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, January 18, 1887. }

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the members were found to be present except Mr. Simon.

Prayer was offered by Rev. J. Bowersox.

The Journal of yesterday was read and approved.

The President appointed Messrs. Hare and Hamilton members on

the Joint Committee to visit the Deaf Mute School, under H. C. R. No. 14.

The President also appointed Messrs. Bird and Veatch members of the Joint Committee for reference of that portion of the Governor's message relating to Chinese or Coolie labor, under H. C. R. No. 15.

Mr. Hare, by unanimous consent, introduced S. B. No. 81, being a bill for an Act to declare forfeited to the State of Oregon certain swamp and overflowed lands therein.

Mr. Hare moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Weatherford—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Shupe, by unanimous consent duly obtained, introduced S. R. No. 13, as follows:

#### SENATE RESOLUTION NO. 13.

*Resolved*, That the President be requested to appoint a Messenger for the Senate.

Which Resolution, on motion of Mr. Shupe, was adopted.

A message was received from the House in a defective condition, and on motion of Mr. Weatherford, was ordered returned to the House for correction.

On motion of Mr. Hare, it was ordered that the Chief Clerk request the Secretary of State to furnish the Senate with a pair of letter scales.

Mr. Cartwright, by unanimous consent, introduced S. B. No. 82, being a bill for an Act to protect public highways.

The bill was read the first time and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that

the House has concurred in S. C. R. No. 2, providing for a Joint Special Committee on reapportionment and redistricting the State for the purpose of representation in the Legislature; said Committee to consist of two from the majority and two from the minority parties on the part of the Senate, and three from the majority and two from the minority parties on the part of the House.

And the same is herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

A message was received from the House, in reference to Senate amendment to H. C. R. No. 11, in a defective condition, and the same was ordered returned to the House for correction.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in Senate amended H. C. R. No. 5, providing for Special Joint Committee on assessment and taxation.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Watts, the President was authorized to return all defective House measures to the House without any further action from the Senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. C. R. No. 3, authorizing the Joint Committee on Columbia River improvement to appoint a clerk for ten days.

And the same is herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that



he has appointed Messrs. Wilson, Little and Crockett, on the part of the House, as members of the Joint Committee provided for by H. C. R. No. 14 to visit the School for Deaf Mutes and report to the two Houses the condition and general workings of the same.

And the same is herewith transmitted to the Senate.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. R. No. 3, in regard to the sale of swamp, overflowed and tide lands.

And the same is herewith returned.

A. C. JENNINGS,  
Chief Clerk.

Mr. Barin asked leave to take up his amendment to Rule 4 of the Senate, providing that the Committee on Public Lands shall consist of five members instead of three.

There being no objection, the same was considered, and on motion of Mr. Barin was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in the Senate amendments to H. C. R. No. 11, to instruct the Committee on Treasurer's Affairs to examine into the condition of the Irreducible School Fund.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has appointed the following members on the part of the House as members of the Joint Committee, called for by S. J. R. No. 2, to

protect the fishing interests of the State, viz.: Maxwell, Pomeroy and Bilyeu.

And the same is herewith transmitted to the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Cartwright, by unanimous consent, introduced S. B. No. 83, being a bill for an Act to protect stock growers within the State of Oregon.

Mr. Cartwright moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Shupe—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in the Senate amendments to H. C. R. No. 3, that the Committee to examine into the Fish Ladder be composed of two from the Senate and three from the House.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he had appointed Messrs. Hare and Chandler, under Senate amended Rule No. 4, as additional members of the Standing Committee on Public Lands.

#### SECOND READING OF BILLS.

S. B. No. 1 coming on for a second reading, Mr. Weatherford moved that the rules be suspended and the bill be read the second time by title.

On this question the roll was called and the vote was:

Ayes—Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare,

Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Rinehart and Siglin—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Weatherford was referred to the Committee on Judiciary.

S. B. No. 2 was read a second time, and Mr. Veatch moved to refer to Committee on Assessment and Taxation.

Mr. Siglin moved to amend by referring the same to the Judiciary.

The motion to amend prevailed and the bill was referred to the Judiciary Committee.

On motion of Mr. Weatherford, the courtesies of the Senate were extended to ex-Senator C. H. Burch, and the Sergeant-at-Arms instructed to provide him with a seat within the bar.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has appointed the Committee on the part of the House to take into consideration that part of the Governor's message as refers to Chinese or Coolie labor, viz.: Munger, McLean, Taylor. (H. C. R., 15.) And the same is herewith transmitted to the Senate.

A. C. JENNINGS,  
Chief Clerk.

S. B. No. 3 coming on for second reading, Mr. Veatch moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called, and the vote was:

Ayes—Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Rinehart, Siglin and Watts—4.

So the rules were suspended and the bill was read a second time by title, and, on motion of Mr. Veatch, was referred to the Committee on Corporations.

S. B. No. 4 was read a second time, and, on motion of Mr. Irvine, was referred to the Committee on Assessments and Taxation.

S. B. No. 5 coming on for a second reading, Mr. Chandler moved

that the rules be suspended and the bill be read a second time by title.

On this question the roll was called, and the vote was:

Ayes—Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Rinehart and Siglin—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chandler was referred to the Judiciary Committee.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted H. C. R. No. 16, providing for a Joint Committee of three on the part of the House and two on the part of the Senate, be appointed to investigate the office and affairs pertaining to the Penitentiary of this State.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Shupe, after the reading of the Resolution accompanying the foregoing message, H. C. R. No. 16 was concurred in by the Senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has appointed the following Committee on the part of the House, as members of the Joint Committee to investigate the manner in which the State printing has been done for the past two years, viz.: Paulsen, Munger and Miller, R. A.

And the same is herewith transmitted to the Senate.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted H. C. R. No. 17, providing for a Joint Committee of five, consisting of two members from the Senate and three members from the House, be appointed to examine and investigate the management for the past two years of the Oregon Penitentiary.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. C. R. No. 17, accompanying the foregoing message, was read, and on motion of Mr. Simon, was concurred in by the Senate.

On motion of Mr. Simon, the motion by which H. C. R. No. 16 was concurred in, was reconsidered, and on motion of Mr. Simon the said H. C. R. No. 16 was laid on the table.

Ex-Senator Clow was invited to a seat within the bar of the Senate.

S. B. No. 6 was read a second time, and on motion of Mr. Hare, was referred to the Judiciary Committee.

S. B. No. 7 coming on for a second reading, Mr. Dawson moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Ayes—Messrs. Barin, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veath, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Allen, Cartwright, Chandler, Rinehart, and Siglin—5.

So the rules were suspended and the bill was read a second time by title.

Mr. Shupe introduced the following amendment to S. B. No. 7:

## AMENDMENT.

Amend Section 1 of Senate Bill No. 7 by striking out the word, in printed bill, "and" in line two and inserting after the word "Clatsop" in line two the words "and Douglas."

Which said amendment on motion of Mr. Shupe was adopted,

and on motion of Mr. Dawson S. B. No. 7, with amendment, was referred to the Committee on Counties.

S. B. No. 8 coming on for a second reading, Mr. Chamberlin moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Ayes—Messrs. Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Allen, Dimick, Rinehart and Siglin—4.

So the rules were suspended, and the bill was read a second time by title, and on motion of Mr. Chamberlin was referred to the Committee on Education.

S. B. No. 9 coming on for a second reading, Mr. Wager moved that the rules be suspended, and the bill be read a second time by title.

On this question the roll was called, and the vote was:

Ayes—Messrs. Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Allen, Cartwright, Rinehart, Shupe and Stanley—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager was referred to the Judiciary Committee.

S. B. No. 10 was read a second time and on motion of Mr. Lee was referred to the Committee on Assessments.

S. B. No. 11 was read a second time and on motion of Mr. Lee was referred to the Committee on Ways and Means.

S. B. No. 12 coming on for a second reading, Mr. Lee moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Ayes—Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read a second time

by title, and on motion of Mr. Lee was referred to the Committee on Public Buildings.

S. B. No. 13 was read a second time, and on motion of Mr. Coleman was referred to the Committee on Roads and Highways.

S. B. No. 14 coming on for a second reading, Mr. Barin moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Ayes—Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Chamberlin—1.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Barin was referred to the Committee on Roads and Highways.

On motion of Mr. Miller the Senate adjourned.

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#### AFTERNOON SESSION.

The Senate met pursuant to adjournment, and was called to order by the President.

The roll was called and all members reported present except Mr. Cartwright, who was absent on leave.

On motion of Mr. Watts, it was ordered that the Sergeant-at-Arms be granted the regular allowance of postage stamps and newspaper wrappers.

S. B. No. 15 coming on for a second reading, Mr. Simon moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called, and the vote was:

Ayes—Messrs. Barin, Bird, Coleman, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Cartwright, Chandler, Cauthorn, Hamilton, Rinehart, Siglin and Weatherford—8.

So the rules were suspended and the bill was read a second time by title.

Mr. Miller introduced an amendment to S. B. No. 15, which, on his motion, was ordered printed.

Said amendment is as follows, to-wit:

I move to amend by striking out Section 2 and inserting the following

#### AMENDMENT.

SECTION 2. That the Legislative Assembly of this State shall have the right, power and authority at any time to prescribe such rules, regulations and rates of toll for transit and transportation over said bridge and the management thereof as may be deemed proper and reasonable, except that the County Court of Multnomah County is hereby authorized to fix, alter and establish from time to time the rates of toll to be charged by such corporation or its assigns for the passage of footmen, vehicles and ordinary travel other than rail; *provided*, that said corporation or its assigns shall permit any other railroad corporation or its assigns, whose railroad terminates on either bank of the Willamette River within the limits of the cities of Portland or East Portland, to use said bridge in the same manner and under the same rules and regulations as said corporation or its assigns, authorized to construct and use said bridge, as may be prescribed for its own traffic across said bridge, on paying a reasonable compensation therefor; and in case said company shall not agree, then the Governor, Secretary of State and State Treasurer of this State shall constitute a Board to determine what said rate shall be, with power to send for persons and papers, and compel attendance and production thereof, and to administer oaths and take testimony for the purpose of arriving at a correct decision in reference to the compensation to be paid; and this decision shall be final, unless altered or changed by the Legislature.

On motion of Mr. Miller, the bill with the foregoing amendment was made a special order for to-morrow at 2 o'clock P. M.

On motion of Mr. Siglin, the Clerk was instructed to inform the State Printer to have the amendment to S. B. No. 15 printed immediately.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, January 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted H. C. R. No. 19, approving of the acts of the Secretary of State in setting apart a room in the Capitol building



for use of the Oregon Pioneer Association, as fully set forth in said Resolution.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. C. R. No. 19, accompanying the foregoing message, was read, and is as follows, to-wit:

#### HOUSE CONCURRENT RESOLUTION NO. 19.

WHEREAS, The Secretary of State did in 1884 assign to the Oregon Pioneer Association the use of a room in the Capitol building in which to hold their business meetings, keep their books, papers, records, etc., and to serve as a general repository of the historical relics and material for the history of the early settlement of our State; therefore, be it

*Resolved by the House, the Senate concurring:*

That the action of the Secretary of State in this matter be confirmed and approved, and that such room be and is hereby set aside for the permanent use and occupancy of the Oregon Pioneer Association, as hereinbefore stated.

On motion of Mr. Coleman, H. C. R. No. 19 was concurred in.

S. B. No. 16 coming on for a second reading, Mr. Lee moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Ayes—Messrs. Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Allen.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Lee was referred to the Committee on Corporations.

S. B. No. 17 was read a second time, and on motion of Mr. Shupe was referred with petition to the Committee on Commerce.

S. B. No. 18 was read a second time, and on motion of Mr. Gray was referred to the Committee on Judiciary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted H. J. R. No. 7, requesting our Senators and Representatives in Congress to use every legitimate means to obtain from the Congress of the United States an appropriation of one hundred and sixty thousand dollars for survey of Tillamook Bay and other purposes.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS.

Chief Clerk.

On motion of Mr. Lee, H. J. R. No. 7 was referred to a Special Committee, with instructions to change the same to a House Memorial.

The President at this time appointed Arthur Rinehart Messenger of the Senate, under S. R. No. 13.

On motion of Mr. Watts the courtesies of the Senate were extended to the present and ex-State Officers.

S. B. No. 19 was read a second time, and on motion of Mr. Irvine was referred to the Judiciary Committee.

S. B. No. 20 was read a second time, and on motion of Mr. Barin was referred to the Committee on Agriculture.

S. B. No. 21 was read the second time, and on motion of Mr. Chandler was referred to the Committee on Education.

S. B. No. 22 coming on for a second reading, Mr. Wager moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Ayes—Messrs. Barin, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veath, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Allen, Cartwright, Chandler and Rinehart—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager was referred to the Committee on Judiciary.

S. B. No. 23 coming on for a second reading, Mr. Lee moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Ayes—Messrs. Barin, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Allen, Coleman, Miller and Rinehart—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Dawson was referred to the Committee on Railroads.

S. B. No. 24 was read a second time, and on motion of Mr. Weatherford was ordered engrossed and passed to a third reading.

S. B. No. 25 coming on for a second reading, Mr. Lee moved that the rules be suspended and the bill be read the second time by title.

On this question the roll was called and the vote was:

Ayes—Messrs. Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts—21.

Nays—None.

Absent—Messrs. Allen, Barin, Bird, Coleman, Cartwright, Miller, Siglin, Weatherford and Mr. President—9.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Lee was referred to the Committee on Corporation.

S. B. No. 26 coming on for a second reading, Mr. Chamberlin moved that the rules be suspended and the bill be read the second time by title.

On this question the roll was called and the vote was:

Ayes—Messrs. Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Allen, Cartwright, Miller, Rinehart, Siglin and Weatherford—6.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chamberlin referred to the Committee on Corporations.

S. B. No. 27 was read a second time, and on motion of Mr. Emmett was referred to the Committee on Roads and Highways.

S. B. No. 28 was read a second time, and on motion of Mr. Siglin was referred to the Committee on Judiciary.

S. B. No. 29 coming on for a second reading, Mr. Gray moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Ayes—Messrs. Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Allen, Barin, Cartwright and Weatherford—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Gray was referred to the Committee on Commerce.

Senate Bill No. 30 coming on for a second reading, Mr. Hare moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Ayes—Messrs. Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Allen, Barin, Cartwright, Siglin, Weatherford and Wager—6.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Hare was referred to the Committee on Roads and Highways.

S. B. No. 31 coming on for a second reading, Mr. Bird moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Ayes—Messrs. Barin, Bird, Coleman, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—26.

Nays—Mr. Cauthorn—1.

Absent—Messrs. Allen, Cartwright and Weatherford—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Bird was referred to the Committee on Counties.

S. B. No. 32 coming on for a second reading, Mr. Chamberlin moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Ayes—Messrs. Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Allen and Weatherford—2.

So the rule were suspended and the bill was read a second time by title, and on motion of Mr. Chamberlin was referred to the Committee on Roads and Highways.

On motion of Mr Cauthorn, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

WEDNESDAY, JANUARY 19, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, January 19, 1887. }

The Senate met pursuant to adjournment, and was called to order by the President.

The roll was called and all the Senators were present, except Mr. Cauthorn.

Prayer was offered by Rev. W. C. Wire, of Salem.

On motion of Mr. Hare, ex-Senator Voorhees of Marion county was invited to a seat within the bar of the Senate.

#### COMMITTEES APPOINTED.

The President appointed the following Committees, to-wit:

Joint Committee to investigate the Penitentiary, under H. C. R. No. 17, Messrs. Looney and Hamilton.

Joint Committee on redistricting the State, under S. C. R. No. 2, Messrs. Hare, Miller, Wager and Cauthorn.

Joint Committee to investigate State Printing, under H. C. R. No. 13, Messrs Siglin and Chamberlin.

Joint Committee to investigate the fish ladder at Oregon City, under H. J. R. No. 3, Messrs. Barin and Cauthorn.

The Journal of yesterday was read and approved.

On motion of Mr. Hare, Messrs. Watts and Stanley were excused, as requested by them, from visiting the Normal School at Monmouth, as provided by H. C. R. No. 12.

On motion of Mr. Hare, the President was instructed to have a screen or false door placed near the front door to protect the members from draught.

Mr. Hare introduced S. R. No. 14, as follows:

*Resolved by the Senate,* That the Committee on Printing of this body be requested to inquire, and report to the Senate, the reason why the Senate is not furnished with the printed bills of the House of Representatives.

On motion of Mr. Hare the above Resolution was adopted.

By unanimous consent Mr. Gray introduced

SENATE RESOLUTION NO. 15,

As follows:

*Resolved by the Senate:*

That the Secretary of State be requested to have printed a compilation from the Census Returns of 1880 by the United States Government, and also of 1885 by this State, showing the number of white inhabitants in each county of this State; and that he be requested to have two hundred and fifty copies thereof printed at the earliest date possible for the use of the members of the present Legislative Assembly of the State of Oregon.

On motion of Mr. Gray, S. R. No. 15 was adopted.

By unanimous consent Mr. Gray introduced

SENATE JOINT RESOLUTION NO. 7,

As follows:

*Resolved by the Senate, the House concurring:*

That the Committee on Commerce on the part of the Senate and the Committee on Commerce on the part of the House be, and they are hereby constituted a Joint Committee to proceed to the city of Astoria, Oregon, for the purpose of making an examination into the condition, utility and manner of conducting the State pilot schooner "Governor Moody," and report their findings by bill or otherwise, as early as practicable.

*Resolved further,* That the Joint Committee on Fishing are hereby authorized to proceed at the same time as the Committee on Commerce to the city of Astoria, and there sit as a Board to receive testimony from the several interests engaged in the fishing industries of this State.

Mr. Gray moved to adopt S. J. R. No. 7.

On this question the roll was called and the vote was:

Ayes—Messrs. Allen, Barin, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Rinehart, Shupe, Simon, Stanley, Veatch, Williams, Wager, Watts, Mr. President—23.

Nays—Mr. Chandler—1.

Absent—Messrs. Cartwright, Hare, Miller, Siglin, Steel, Weatherford—6.

So S. J. R. No. 7 was declared adopted.

The President appointed on the Joint Committee to visit State Normal School at Monmouth, Messrs. Barin and Irvine.

By unanimous consent, Mr. Wager introduced Senate Resolution No. 16, as follows:

SENATE RESOLUTION NO. 16.

*Resolved*, That the Committee on Printing are hereby instructed to ascertain, and report fully to the Senate, at the earliest convenient time, whether any public printing for the State of Oregon has been done outside the State during the past four years; and if so, what and how much of such printing has been done outside of the State; further, at what cost to the State for each volume or particular item of such printing; further, whether such printing could not have all been done, and may still be done, by the State Printer; and if so, at what cost as compared with the prices heretofore paid; further, by whose authority said printing was so contracted to be done outside the State; further, whether such contracts are not in direct violation of Article XII. of the Constitution of the State of Oregon. And, finally, to report, by bill or otherwise, such measures as may by said Committee be deemed best to secure further compliance with the Constitution, and to have public printing done at reasonable rates within the State.

On motion of Mr. Wager, S. R. No. 16 was adopted.

By unanimous consent, Mr. Chandler called up S. J. R. No. 5, which being read, Mr. Chandler moved that S. J. R. No. 5 be adopted.

On this question the roll was called and the vote was:

Ayes—Allen, Barin, Bird, Coleman, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Cartwright and Cauthorn—2.

So S. J. R. No. 5 was declared adopted.

S. J. R. No. 4 coming before the Senate for consideration, on motion of Mr. Rinehart to adopt, the roll was called, and the vote was as follows:

Ayes—Mr. Rinehart.

Nays—Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn,



Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Absent—Cartwright and Gray—2.

So S. J. R. No. 4 was declared lost.

The courtesies of the Senate were extended to ex-Senator Reed of Clatsop County.

S. J. R. No. 6 coming before the Senate, Mr. Hare moved to refer the same to the Committee on Judiciary, which motion prevailed, and it was so referred.

S. J. M. No. 1 coming up for consideration, Mr. Irvine moved to adopt.

The roll was called and the vote was as follows:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Mr. President.—28.

Nays—None.

Absent—Cartwright and Watts—2.

So S. J. M. No. 1 was declared adopted.

S. J. M. No. 2 coming up for consideration, Mr. Irvine moved to adopt.

On this question the roll was called and the vote was:

Those voting aye were:

Ayes—Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Cartwright—1.

So S. J. M. No. 2 was declared adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 19, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. R. No. 5.

And the same is herewith transmitted.

A. C. JENNINGS,  
Chief Clerk.

The courtesies of the Senate were extended to ex-Senator J. T. Apperson, from Clackamas County.



## SECOND READING OF BILLS.

S. B. No. 23 coming on for a second reading, Mr. Miller moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Ayes—Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Cartwright—1.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Miller was referred to the Committee on Apportionment.

S. B. No. 34 was read the second time, and on motion of Mr. Dawson was referred to the Committee on Roads and Highways.

S. B. No. 35 coming on for a second reading, Mr. Wager moved that the rules be suspended and it be read a second time by title.

On this question the roll was called and the vote was:

Ayes—Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cartwright, Chamberlin, Gray and Siglin—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager was referred to the Committee on Agriculture.

S. B. No. 36 was read a second time, and on motion of Mr. Chandler was referred to the Committee on Judiciary.

S. B. No. 37 coming on for a second reading, Mr. Simon moved that the rules be suspended and the bill be read the second time by title.

On this question the roll was called and the vote was:

Ayes—Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Cartwright and Hare—2.

So the rules were suspended and the bill was read the second time

by title, and on motion of Mr. Simon was referred to the Committee on Judiciary.

S. B. No. 38 was read a second time, and on motion of Mr. Wager was referred to the Committee on Assessments.

S. B. No. 39 was read a second time, and on motion of Mr. Emmett was referred to the Committee on Roads and Highways.

S. B. No. 40 was read a second time, and on motion of Mr. Steel was referred to the Multnomah delegation.

S. B. No. 41 was read a second time, and on motion of Mr. Gray was referred to the Judiciary Committee.

S. B. No. 43 was read a second time, and on motion of Mr. Hamilton was referred to the Committee on Public Lands.

On motion of Mr. Irvine, the Senate adjourned.

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#### AFTERNOON SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators were present except Mr. Weatherford and Mr. Cartwright, who were absent on leave.

Mr. Simon called for the special order, viz.: the consideration of S. B. No. 15 with the amendment thereto, and on motion of Mr. Simon the bill and amendment were referred to the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 19, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has refused to concur in S. J. R. No. 7, providing for a Joint Committee composed of the Committee on Commerce of each House to proceed to Astoria to examine pilot boat.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Gray, S. J. R. No. 7 was referred to the Committee on Commerce, with leave to report at any time.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 19, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. M. No. 2, forfeiting unearned land grants to the United States.

And the same is herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 19, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. M. No. 1, in reference to Chinese immigration.

And the same is herewith returned.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 19, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has appointed on the Joint Committee to redistrict the State, on the part of the House, Messrs. Goodsell, Laughlin, Benjamin, Mitchell and Biggs; and on the Joint Committee on the fish ladder, Messrs. Munger, Richardson and Johnson.

A. C. JENNINGS,  
Chief Clerk.

S. B. No. 44 was read a second time, and on motion of Mr. Dawson was referred to the Committee on Counties.

S. B. No. 45 was read a second time, and on motion of Mr. Coleman was referred to the Committee on Judiciary.

By unanimous consent, Mr. Weatherford introduced S. B. No. 84, being a bill for an Act to amend Acts incorporating the city of Albany.

Mr. Weatherford moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Ayes—Messrs. Allen, Barin, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Cartwright, Chandler and Hamilton—3.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Weatherford moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Ayes—Messrs. Allen, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Barin, Cartwright, Chandler, Gray, Rinehart—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Weatherford referred to the Committee on Corporations, with leave to report at any time.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

Mr. Simon presented a memorial from the Portland Board of Trade, praying for the speedy adoption of means and measures for the construction of three wagon roads across the Cascade Mountains, which memorial, on motion of Mr. Simon, was referred to the Committee on Public Lands.

Mr. Simon presented a petition from Multnomah Camp No. 2, Indian War Veterans of the North Pacific Coast, praying for granting relief to R. F. Murphy, an Indian War Veteran, which petition, on motion of Mr. Simon, was referred to the Committee on Claims.

Mr. Wager introduced

#### SENATE JOINT MEMORIAL NO. 3.

*To the Honorable the Senators and Representatives of the United States in Congress Assembled:*

We, your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent:

That the land grant to the Northern Pacific Railroad, coterminus

with and adjacent to the Cascade Branch of the Northern Pacific Railroad, extends over and covers a large area of valuable and fertile lands in the northeastern portion of the State of Oregon;

That the land grant coterminous with and adjacent to the proposed Columbia River Branch of said Northern Pacific Railroad, extending from Wallula, in Washington Territory, to Portland, Oregon, extends over and occupies an immense tract of valuable lands in the northern portion of the State;

That in many cases so-called "railroad land," that is, land claimed by the Northern Pacific Railroad Company, and held from claim or settlement under the Acts of Congress, extend fifty or sixty miles, or more, from the line where said road, or either branch thereof, has been located;

That the said Northern Pacific Railroad Company has never built a road, or branch thereof, between Wallula and Portland, or any part thereof; that said route is occupied and used by a railroad built without a grant of land; and that there is no prospect nor necessity of the building of said road between Wallula and Portland by the said Northern Pacific Railroad Company;

That under the Act of Congress by which said lands were granted to said Company they were long since forfeitable, and as a matter of simple justice to the people, should have been long since forfeited;

That poor settlers, who in poverty and in a strange land seek to obtain title under the laws to one hundred and sixty acres, or, at most, three hundred and twenty acres of Government land, are held to a strict observance of the law, and required to perform fully all its conditions, upon penalty of losing both their claims and their rights; but this railroad corporation, having been given an immense domain of the people's heritage, has been permitted to retain its hold upon large portions thereof for years, without a shadow of right or title, in violation of their charter and of the terms of the grant, and to the great detriment, annoyance and injury of settlers and private citizens;

That in consequence of this illegal and unjust claim, or pretended claim, of said company to said lands, or a large portion thereof, settlers already upon tracts thereof are in a state of great doubt and uneasiness as to the final disposition of said lands, and are thereby hindered and prevented from making improvements and building such homes or living in such peace and security as they might and would do if this question were set at rest; they are constantly annoyed by conflicting reports, and harassed and plundered by unscrupulous attorneys and real estate agents; beside, settlement and development of the country is greatly retarded, and large quantities of land that ought before this to have been in cultivation and occu-

pied by prosperous farmers is lying unoccupied or held in large tracts in consequence of contracts or agreements with said company, and is not subject to taxation; that in many cases partial payments for tracts of said lands have been made to said company by persons who are continually annoyed by the doubt whether such payments are necessary or valid; that, in short, the condition of people occupying and adjacent to these lands is one of incessant vexation and distress.

Wherefore we, your aforesaid memorialists, most respectfully and earnestly ask :

First. That all unearned lands heretofore granted to railroad corporations, and especially to the Northern Pacific Railroad Company, be declared forfeited.

Second. That especially the lands of said Company coterminous with and adjacent to the proposed Columbia River Branch of said road, namely, between Wallula, W. T., and Portland, Oregon, be declared forfeited without delay.

Third. That the forfeiture of said last mentioned portion of said grant be not made conditional upon the forfeiture of other portions between Bismarck, Dak., and Wallula, W. T., but that in case Congress cannot agree upon the forfeiture of all unearned lands west of Bismarck, they shall nevertheless declare forfeited said lands coterminous with and adjacent to said proposed line between Wallula, W. T., and Portland, Oregon.

Fourth. That in case speedy forfeiture of said lands is not possible, such legislation will be had as will require the location and public announcement to settlers of a definite boundary line of said grant, so that lands beyond legal and proper bounds can no longer be kept from entry and sale in consequence of the present undefined claims of said Company.

S. J. M. No. 3 was ordered printed.

Mr. Miller introduced

#### SENATE CONCURRENT RESOLUTION NO. 4.

*Resolved by the House, the Senate concurring :*

That a Joint Committee of five, consisting of two from the Senate and three from the House be appointed, to examine the work done by the State Board of Immigration, and that they report to both Houses the advisability of abolishing or continuing said work.

On motion of Mr. Miller S. C. R. No. 4 was ordered printed.

Mr. Miller introduced

## SENATE CONCURRENT RESOLUTION NO. 5.

WHEREAS, There was appropriated by the Special Session of the Legislative Assembly of the State of Oregon, held in 1885, the sum of ten thousand dollars for building the Rogue River bridge at Grant's Pass; and,

WHEREAS, A report of the expenditure of said fund has been made to the Secretary of State; therefore be it

*Resolved by the Senate, the House concurring:*

That a Committee of two on the part of the Senate, and three on the part of the House, be appointed to examine said returns, and report their findings to both Houses.

On motion of Miller S. C. R. No. 5 was adopted:

Mr. Siglin gave the following

## NOTICE.

Notice is hereby given that an amendment to Rule No. 18, Rules of the Senate, will be offered as follows:

RULE 18. Copies of all Bills, Memorials and Joint Resolutions shall be sent by the Committee on Printing to the State Printer without a direct vote of the Senate, unless otherwise ordered. There shall be printed for the use of the two Houses one hundred and fifty copies of every such Bill, Memorial or Joint Resolution, unless the Senate shall order a greater or less number.

Mr. Simon presented petitions from residents and property owners of the City of Portland, praying for the passage of the bill authorizing the construction of a bridge across the Willamette River between the City of Portland and East Portland.

Which petitions, on motion of Mr. Simon, were referred to the Committee on Judiciary.

## INTRODUCTION AND FIRST READING OF BILLS.

Mr. Chamberlin introduced S. B. No. 85, being a bill for an Act to provide for the construction of the County Road System of the Willamette Valley with that of Eastern Oregon.

Mr. Chamberlin moved that the rules be suspended and the bill read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee,



Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Bird and Cartwright—2.

So the rules were suspended, the bill was read the first time by title and passed to a second reading without a question.

Mr. Simon introduced S. B. No. 86, being a bill for an Act to amend Section 5 of an Act to provide for the election of Supreme and Circuit Court Judges in District classes.

The bill was read the first time and passed to a second reading without a question.

Mr. Shupe introduced S. B. No. 87, being a bill for an Act to regulate the practice of medicine and surgery in the State of Oregon.

Mr. Shupe moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Cartwright, Gray and Veatch—3.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Coleman introduced S. B. No. 88, being a bill for an Act for the protection of cattle and all live stock, and to provide for the payment for cattle and all live stock killed or injured on any unfenced railroad track, etc.

The bill was read the first time, and passed to a second reading without a question.

Mr. Chandler introduced S. B. No. 89, being a bill for an Act to provide for the foreclosure of the mortgage executed by the Baker City Academy to the State of Oregon, and the sale of said premises.

Mr. Chandler moved that the rules be suspended, and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Cartwright, Gray, Irvine, Veatch and Weatherford—5.



So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Siglin introduced S. B. No. 90, being a bill for an Act amending Sections 2 and 3 of an Act entitled an Act to incorporate the town of Marshfield.

Mr. Siglin moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Cartwright, Gray and Irvine—3.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Barin introduced S. B. No. 91, being a bill for an Act to prevent the spread of contagious animal diseases.

Mr. Barin moved that the rules be suspended, and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cartwright, Gray, Irvine and Weatherford—4.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Cauthorn introduced S. B. No. 92, being a bill for an Act to amend Section 23 of Title III. of an Act entitled an Act to establish a uniform course of public instruction in the Common Schools of this State.

The bill was read the first time, and passed to a second reading without a question.

Mr. Looney introduced S. B. No. 93, being a bill for an Act to prevent hunting deer, elk and antelope with dogs.

The bill was read the first time, and passed to a second reading without a question.

Mr. Chandler introduced S. B. No. 94, being a bill for an Act to regulate marks and brands of stock.

Mr. Chandler moved that the rules be suspended and the bill be read

the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cartwright, Irvine, Shupe, Weatherford—4.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Dimick introduced S. B. No. 95, being a bill for an Act to authorize the Governor to secure return to Oregon and suitable burial therein of the body of ex-Governor A. C. Gibbs.

The bill was read the first time and passed to a second reading without a question.

Mr. Hare introduced S. S. 96, being a bill for an Act to prevent foreign Insurance companies transferring suits from State to United States Courts.

Mr. Hare moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Cartwright, Dawson—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Rinehart introduced S. B. No. 97, being a bill for an Act to amend Section 49 and to repeal Sections 45 and 50, Title III., Chapter XXIX., of the Miscellaneous Laws of Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Weatherford introduced S. B. No. 98, being a bill for an Act to amend an Act entitled An Act to amend Section 4, of Title I, of Chapter L., of the Miscellaneous Laws of the State of Oregon.

The bill was read the first time, and passed to a second reading without a question.

Mr. Chamberlin introduced S. B. No. 99, being a bill for an Act to provide for the restoration and preservation of the banks of un-navigable streams.

The bill was read the first time, and passed to a second reading without a question.

Mr. Wager introduced S. B. No. 100, being a bill for an Act to define the boundary line between Umatilla and Grant Counties, Oregon.

The bill was read the first time, and passed to a second reading without a question.

Mr. Steel introduced S. B. No. 101, being a bill for an Act to amend Section 52 of Title III. of Chapter VII. of the Miscellaneous Laws of Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Dimick introduced S. B. No. 102, being a bill for an Act to amend the Act incorporating the City of Silverton.

Mr. Dimick moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Bird, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Coleman, Cartwright, Irvine, Rinehart—5.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Wager introduced S. B. No. 103, being a bill for an Act to amend an Act providing the manner in which wire fences shall be constructed in counties east of the Cascade Mountains.

The bill was read the first time, and passed to a second reading without a question.

Mr. Steel introduced S. B. No. 104, being a bill for an Act to provide for compiling, printing and distributing a State series of school text books, and appropriating money therefor.

Mr. Steel moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Cartwright and Rinehart—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Barin introduced S. B. No. 105, being a bill for an Act to license and regulate insurance business in this State.

Mr. Barin moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Coleman, Cartwright, Emmett, Rinehart, Siglin—5.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Chamberlin introduced S. B. No. 106, being a bill for an Act to amend Sections 2, 4, 5, 6 and 7, of Title I. of an Act entitled an Act to establish a uniform course of public instruction in the Common Schools of this State.

Mr. Chamberlin moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Bird, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Coleman, Cartwright, Hare, Rinehart, Siglin and Weatherford—7.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Chamberlin introduced S. B. No. 107, being a bill for an Act to provide for the sale of certain land belonging to the State of Oregon.

The bill was read the first time, and passed to a second reading without a question.

Mr. Siglin introduced S. B. No. 108, being a bill for an Act to amend Section 1,003 of Title I. of Chapter XIV. of the Civil Code of Oregon.

The bill was read the first time, and passed to a second reading without a question.

On motion of Mr. Weatherford, Mr. Dawson was excused on account of sickness.

Mr. Shupe introduced S. B. 109, being a bill for an Act to amend Section 1 of an Act entitled "An Act for the protection of fish and game," and to repeal Section 2 of said Act.

The bill was read the first time, and passed to a second reading without a question.

On motion of Mr. Steel, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

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THURSDAY, JANUARY 20, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, January 20, 1887. }

The Senate met pursuant to adjournment, and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Hare, Williams and Dawson, absent on leave.

Prayer was offered by Rev. J. W. Harris, of Salem.

The Journal of yesterday was read and approved.

Mr. Lee asked that the Senate proceed to the consideration of his Substitute to Senate Rule No. 4.

There being no objection, the Senate proceeded to take up Substitute for Senate Rule 4.

Pending the motion of Mr. Lee to adopt, Mr. Weatherford introduced an amendment to Mr. Lee's substitute to Rule 4, which said amendment is as follows:

I move to amend the substitute of the Senator from Polk and Benton, to Rule 4 of the Senate, as follows:

Strike out all after the word "Railroads" where last used in said amendment, and insert the following:

"Which shall be selected as follows:

"The majority party may, by the second day after the organization of the Senate for business, select the majority of said committees, and the minority party may within the same time select the minority of said committees; and if either party fails to select, the President may appoint such portions of said committees as said party may be entitled to. And the President shall appoint the Senators

so selected as such committees; and such committee shall each select its own Chairman."

On motion of Mr. Hare the entire matter was referred to a Special Committee of five, of which the President shall be one and the Chairman thereof, with leave to report at any time.

The courtesies of the Senate were extended to ex-Senator Bailey of Benton county.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 20, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. C. R. No. 5, providing for a Joint Committee of two on the part of the Senate and three on the part of the House to examine the returns of the expenditures in building the Rogue River bridge.

And the same is herewith returned.

A. C. JENNINGS,  
Chief Clerk.

The President appointed the following Committees:

Special Committee to whom was referred H. J. R. No. 7, as to appropriations for Tillamook Bay, Messrs. Gray, Lee and Irvine.

Upon S. C. R. No. 5, to examine report of building Rogue River bridge, Messrs. Steel and Weatherford.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 20, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that House Concurrent Resolution No. 20 has been adopted by the House, providing for a Joint Committee, composed of House Committee on Commerce and the Senate Committee on Commerce, to investigate and report upon the situation of the canal and locks at Oregon City in regard to their relation and developments of the water power at that place.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. C. R. No. 20 accompanying the foregoing message was read, and on motion of Mr. Williams was concurred in by the Senate.

Mr. Barin, Chairman of the Committee on Commerce, made the following

REPORT.

SENATE CHAMBER,  
SALEM, January 20, 1887. }

*Mr. President—*

We, your Committee on Commerce, to whom was referred Senate Joint Resolution No. 7, would recommend the following amendment to the second provision of said Resolution, so that it shall read as follows:

*Resolved. further,* That the Joint Committee on Fishing Interests, are hereby authorized to proceed at the same time with the Committee on Commerce to the city of Astoria, and there sit as a Board to receive testimony from the several interests engaged in the fishing industries of this State, and that from the city of Astoria they be authorized to proceed to the Cascades and examine the fish-wheels. then, provided that there be no additional expense to the State incurred by said Committee in the trip from Astoria to the Cascades, and as so amended we recommend that the Resolution do pass.

L. T. BARIN,  
Chairman.

Mr. Gray moved to adopt the report.

Pending the motion to adopt, Mr. Simon moved to lay it on the table.

The ayes and nays were called for by Messrs. Gray and Lee.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chandler, Emmett, Hamilton, Irvine, Miller, Siglin, Simon, Stanley, Steel, Watts, Mr. President—15.

Nays—Messrs. Allen, Cauthorn, Chamberlin, Dimick, Gray, Hare, Lee, Looney, Rinehart, Shupe, Veatch, Williams, Weatherford, Wager—14.

Absent—Mr. Dawson, on leave—1.

So S. J. R. No. 7, and the report of the Committee, were ordered laid on the table.

Mr. Siglin moved that the motion by which S. J. R. No. 7 and report of Committee was laid on the table be reconsidered, which motion prevailed.

Whereupon Mr. Simon withdrew his motion to lay on the table, and Mr. Barin withdrew the report of the Committee on Commerce, and the entire matter was taken from said Committee.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 20, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that House bill No. 19 has passed the House.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 19 being a bill for an Act to incorporate the town of Myrtle Point, Oregon.

## INTRODUCTION AND FIRST READING OF BILLS.

Mr. Coleman introduced S. B. No. 110, being a bill for an Act to amend Section 3 of Chapter V. of the Miscellaneous Laws, relating to contagious diseases among animals.

The bill was read the first time, and passed to a second reading without a question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 20, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. B. No. 26 has passed the House, incorporating the town of Heppner, Morrow county, Or.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Williams introduced S. B. No. 111, being a bill for an Act to amend Section 6, Title I., Chapter XVIII., of the Civil Code, Miscellaneous Laws of the State of Oregon, which was read the first time and passed to a second reading without a question.

Mr. Wager introduced S. B. No. 112, being a bill for an Act to amend an Act entitled an Act to incorporate the town of Pendleton.

Mr. Wager moved that the rules be suspended, and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:



Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Chandler, Dawson, Dimick, Gray, Miller and Rinehart—6.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Dimick introduced S. B. No. 113, being a bill for an Act to create the office of County Recorder and prescribing the duties thereof.

Mr. Dimick moved that the rules be suspended, and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Allen, Barin, Dawson, Gray—4.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Siglin moved that a Committee of three be appointed to investigate certain charges and slanders published by the East Oregonian and Oregonian against certain members, which motion prevailed.

Mr. Lee introduced S. B. No. 114, being a bill for an Act to regulate the practice of medicine, surgery and obstetrics.

Mr. Lee moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Chandler and Dawson—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Simon introduced S. B. No. 115, being a bill for an Act to

provide a more efficient method for the collection of delinquent taxes.

Mr. Simon moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Chandler and Dawson—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Dimick introduced S. B. No. 116, being a bill for an Act to secure to all children the benefit of an elementary education.

Mr. Dimick moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Dawson—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Gray introduced S. B. No. 117, being a bill for an Act to amend the charter of the city of Astoria, Oregon.

Mr. Gray moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Chandler and Dawson—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Dimick introduced S. B. No. 118, being a bill for an Act for the stay of execution where judgment has been rendered for the recovery of money or sale of property.

Mr. Dimick moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Chandler, Dawson, Miller and Siglin—4.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Gray introduced

#### SENATE JOINT RESOLUTION NO. 8.

*Resolved by the Senate, the House concurring:*

That the Committee on Commerce on the part of the House, and the Committee on Commerce on the part of the Senate be constituted a Joint Committee to proceed to Astoria, Oregon, for the purpose of examining into the Pilot and Towing System at the mouth of the Columbia River, and report the same as early as practicable, by bill or otherwise.

*Resolved, further,* That the Joint Committee on Fishing be, and they are hereby authorized to proceed to Astoria, Oregon, at the same time as the aforesaid Committee, and there sit as a Board to receive the testimony from all fishing interests in that locality. And provided, further, that said Joint Committee are hereby also authorized to proceed to the Cascades of the Columbia, upon completion of their investigation at Astoria, and examine into the matter of catching salmon fish by fish-wheels in that locality, and report upon their findings by bill or otherwise.

Mr. Gray moved to adopt S. J. R. No. 8.

Pending the motion to adopt, the Senate, on motion of Mr. Hare, adjourned.

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#### AFTERNOON SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the members were found to be present

except Messrs. Rinehart, Weatherford, and Dawson, who was absent on leave.

The Senate proceeded to the further consideration of S. J. R. No. 8.

At the suggestion of Mr. Simon, Mr. Gray was granted leave to change said Resolution to S. C. R. No. 6.

A vote being taken on the adoption of S. C. R. No. 6 the same resulted in its adoption.

The President appointed Messrs. Barin, Miller and Weatherford a Committee to investigate the charges published by the East Oregonian and Oregonian against certain Senators.

Mr. Siglin introduced

#### SENATE RESOLUTION NO. 17.

*Resolved*, That the said Committee of Investigation be empowered to send for persons and papers, to administer oaths and to investigate the question as to whether any of the Democratic Senators have formed any coalition with any Republican Senator or Senators, in which they agreed to support any corporation measure or any bill that is, or is to come, before this session of the Legislature, if so, what measure or bill.

That the said Committee cause the evidence to be reduced to writing and reported to this Senate. That it may employ the necessary clerical help.

And that Senator Wager may appear by himself or attorney before said Committee, and examine any witness he may desire and cross-examine any witness produced on part of the investigation.

And that Senator Siglin may appear and examine or cross-examine any witness or witnesses produced in accordance with the practice in Courts of Justice in this State.

(Signed.)

SIGLIN.

On motion of Mr. Siglin, S. R. No. 17 was adopted.

On motion of Mr. Coleman it was ordered that the Secretary of State be requested to have a proper doorkeeper placed at the east and west entrance to the main hall of the State House.

#### SECOND READING OF BILLS.

S. B. No. 42 coming up for a second reading, Mr. Allen moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called, and the vote was:

Those voting aye were:

AYE

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dimick, Emmett, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Chandler, Dawson, Gray, Hare, Wager—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Allen was referred to the Committee on Education.

S. B. No. 46 was read a second time, and on motion of Mr. Simon referred to the Committee on Agriculture.

S. B. No. 47 was read a second time, and on motion of Mr. Allen was referred to the Committee on Judiciary.

S. B. No. 48 coming on for a second reading, Mr. Steel moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called, and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Dawson, Gray, Wager—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Steel was referred to the Committee on Counties.

S. B. No. 49 was read a second time, and on motion of Mr. Simon referred to the Committee on Roads and Highways.

S. B. No. 50 was read a second time, and on motion of Mr. Weatherford referred to the Committee on Counties.

S. B. No. 51 was read a second time, and on motion of Mr. Chamberlin referred to the Committee on Counties.

S. B. No. 52 was read a second time, and on motion of Mr. Miller referred to the Committee on Railroads.

S. B. No. 53 was read a second time, and on motion of Mr. Allen referred to the Committee on Railroads.

S. B. No. 54 was read a second time, and on motion of Mr. Simon referred to the Committee on Judiciary.

S. B. No. 55 was read a second time, and on motion of Mr. Simon referred to the Committee on Judiciary.

S. B. No. 56 was read a second time, and on motion of Mr. Chandler was referred to the Committee on Judiciary.

S. B. No. 57 was read a second time, and on motion of Mr. Siglin referred to the Committee on Roads and Highways.

S. B. No. 58 was read a second time, and on motion of Mr. Watts referred to the Committee on Claims.

S. B. No. 59 was read a second time, and on motion of Mr. Emmett was referred to the Committee on Education.

S. B. No. 60 coming on for a second reading, Mr. Watts moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler Cauthorn, Chamberlin, Dimick, Emmett, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Dawson, Gray, Hare and Williams—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Dimick the bill was referred to the Committee on Education.

S. B. No. 61 coming on for a second reading, Mr. Hare moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dawson, Gray—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Hare referred to the Committee on Judiciary.

S. B. No. 62 was read the second time, and on motion of Mr. Wager referred to the Committee on Public Lands.

S. B. No. 63 was read the second time, and on motion of Mr. Miller referred to the Committee on Counties.

S. B. No. 64 coming on for a second reading, Mr. Wager moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Dawson and Rinehart—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager referred to the Committee on Agriculture.

S. B. No. 65 was read the second time, and on motion of Mr. Dimick referred to the Committee on Education.

S. B. No. 66 coming on for a second reading, Mr. Steel moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dawson and Rinehart—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Steel referred to the Committee on Judiciary.

Mr. Chandler having obtained unanimous consent, introduced S. B. No. 119, being a bill for an Act to incorporate Baker City, Baker County, Oregon.

Mr. Chandler moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dawson and Steel—3.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Chamberlin moved that the rules be further suspended, and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.



Absent—Messrs. Barin, Dawson, Rinehart and Steel—4.

So the rules were suspended, and the bill was read a second time by title, and on motion of Mr. Chandler referred to the Committee on Corporations.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 20, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has refused to concur in S. C. R. No. 6, providing for a Joint Committee to visit Astoria and inquire into the subject of pilotage and towage and fishing interests.

And the same is herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

#### REPORTS OF STANDING COMMITTEES.

Mr. Steel, Chairman of the Committee on Engrossed Bills, made the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 19, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 24, beg leave to report the same back to the Senate as correctly engrossed.

GEO. A. STEEL,  
Chairman.

On motion of Mr. Weatherford, S. B. No. 24 was referred to the Committee on Judiciary.

Mr. Williams, Chairman of the Committee on Enrolled Bills, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 20, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred S. J. R. No. 2, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.



## REPORT.

SENATE CHAMBER, }  
SALEM, January 20, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred S. J. R. No. 1, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## REPORT.

SENATE CHAMBER, }  
SALEM, January 20, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Joint Memorial No. 2, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## REPORT.

SENATE CHAMBER, }  
SALEM, January 20, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Joint Memorial No. 1, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## REPORT.

SENATE CHAMBER, }  
SALEM, January 20, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred S. J. R. No. 3, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

Mr. Chamberlin introduced, by unanimous consent,

## SENATE CONCURRENT RESOLUTION NO. 7,

As follows:

*Resolved*, That a Committee of two from the Senate and three from the House be appointed to investigate and report upon the affairs and expenditure of the money appropriated by the State to the Oregon State Board of Agriculture.

On motion of Mr. Lee, S. C. R. No. 7 was adopted.

Mr. Watts, Chairman of the Committee on Education, made the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 19, 1887. }

*Mr. President*—Your Committee on Education, to whom was referred S. B. No. 8, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate, with the recommendation that it do not pass.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, S. B. No. 8 was indefinitely postponed.

Mr. Simon, Chairman of the Committee on Judiciary, made the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 20, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 6, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, S. B. No. 6 was ordered engrossed for a third reading to-morrow.

On motion of Mr. Siglin, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

FRIDAY, JANUARY 21, 1887.

## MORNING SESSION.

SENATE CHAMBER,  
SALEM, January 21, 1887. }

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all Senators were found to be present except Messrs. Rinehart, and Dawson, who was absent on leave.

Prayer was offered by Rev. J. W. Webb of Salem.

The Journal of yesterday was read and approved.

The President appointed Messrs. Hare, Simon, Weatherford and Siglin, who were to constitute, with the President as Chairman, a Committee to whom was referred the entire matter of Rule 4.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 21, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. J. M. No. 1, and has also signed S. J. R. No. 1 and S. J. R. No. 2.

And the same are herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Simon, Chairman of the Committee on Judiciary, made the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 21, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 45, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Coleman, S. B. No. 45 was ordered engrossed for a third reading to-morrow.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 21, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred S. B. No. 37, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following

## AMENDMENT.

Insert after the word Court, in the fifth line of Section 3, the following:

Also a table of cases referred to by the Court, arranged in alphabetical order, and a complete index referring to all the points and important subjects referred to by the Court.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, the amendment was adopted.

On motion of Mr. Simon, the bill was ordered engrossed for a third reading to-morrow.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 21, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 47, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following

## AMENDMENT.

Strike out the word "two" and insert "one" in fourth subdivision, line 9.

Strike out all of line 29, page 2.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, the amendment was adopted.

On motion of Mr. Simon, the bill was ordered engrossed for a third reading to-morrow.

Mr. Bird, Chairman of the Committee on Corporations, made the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 20, 1887. }

*Mr. President*—Your Committee on Corporations, to whom was referred Senate Bill No. 119, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate, with the recommendation that it do pass.

R. P. BIRD,  
Chairman.

On motion of Mr. Chandler, the bill was considered engrossed and passed to a third reading to-morrow.

Mr. Bird, Chairman of the Committee on Corporations, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 20. }

*Mr. President*—Your Committee on Corporations, to whom was referred Senate Bill No. 3, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following amendment:

That Sections 1 and 2 be properly numbered, and that the enacting clause be placed after the title of the bill.

R. P. BIRD,  
Chairman.

On motion of Mr. Veatch, the amendment was adopted.

On motion of Mr. Veatch, the bill was ordered engrossed for a third reading to-morrow.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 21, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in Senate Concurrent Resolution No. 7,

providing for a Joint Committee to investigate and report upon the affairs of the Oregon State Board of Agriculture.

And the same is herewith transmitted.

A. C. JENNINGS,  
Chief Clerk.

Mr. Bird, Chairman of the Committee on Corporations, made the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 19, 1887. }

*Mr. President*—Your Committee on Corporations, to whom was referred S. B. No. 25, beg leave to report that they had the same under consideration, and owing to the fact of a constitutional question being involved, would respectfully report it back to the Senate with the recommendation that it be referred to the Committee on Judiciary.

R. P. BIRD,  
Chairman.

On motion of Mr. Bird, the report was adopted and S. B. No. 25 was ordered referred to the Committee on Judiciary.

The President appointed on the Joint Committee to investigate the management of the State Board of Agriculture, Messrs. Cartwright and Cauthorn.

Mr. Bird, Chairman of the Committee on Corporations, to whom was referred S. B. No. 16, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 21, 1887. }

*Mr. President*—Your Committee on Corporations, to whom was referred Senate Bill No. 16, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

R. P. BIRD,  
Chairman.

On motion of Mr. Cartwright, the bill was ordered engrossed for a third reading to-morrow.

Mr. Bird, Chairman of the Committee on Corporations, submitted the following

## REPORT.

SENATE CHAMBER, }  
SALEM, January 20, 1887. }

*Mr. President*—Your Committee on Corporations, to whom was referred Senate Bill No. 84, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

R. P. BIRD,  
Chairman.

On motion of Mr. Weatherford, the bill was ordered engrossed for a third reading to-morrow.

The President announced that he was about to sign S. J. R. No. 1 and S. J. R. No. 2, also S. J. M. No. 1, and shortly afterwards stated that he had signed all of said Resolutions and Memorial.

Mr. Chamberlin, Chairman of the Committee on Counties, submitted the following

## REPORT.

SENATE CHAMBER, }  
SALEM, January 20, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred Senate bill No. 7, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following

## AMENDMENT.

Amend Section 1 by striking out the word "and" in line 2 in the printed bill, and inserting after the word "Clatsop" in line 3 the words "and Douglas."

M. L. CHAMBERLIN,  
Chairman.

On motion of Mr. Chamberlin, the amendment was adopted.

On motion of Mr. Hare, the bill was ordered engrossed for a third reading to-morrow.

Mr. Chamberlin, Chairman of the Committee on Counties, submitted the following

## REPORT.

SENATE CHAMBER, }  
SALEM, January 20, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred

Senate bill No. 31, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate, with the recommendation that it be referred to the Judiciary Committee.

M. L. CHAMBERLIN,  
Chairman.

Mr. Miller moved to adopt the report, which motion prevailed.  
So the bill was referred to the Committee on Judiciary.

Mr. Barin, Chairman of the Committee on Commerce, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 21, 1887. }

*Mr. President*—Your Committee on Commerce, to whom was referred Senate Bill No. 17, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, it was ordered that the bill be considered engrossed and passed to a third reading to-morrow.

Mr. Steel, Chairman of the Committee on Engrossed Bills, made the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 21, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 6, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

Mr. Lee, Chairman of the Committee on Assessments, made the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 19, 1887. }

*Mr. President*—Your Committee on Assessments, to whom was re-



ferred Senate Bill No. 38, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate without recommendation.

J. D. LEE,  
Chairman.

On motion of Mr. Wager, the bill was ordered engrossed for a third reading to-morrow.

Mr. Lee, Chairman of the Committee on Assessments, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, January 20, 1887. }

*Mr. President*—Your Committee on Assessments, to whom was referred Senate Bill No. 4, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following

AMENDMENT.

Amend Senate Bill No. 4 by striking out in line 7, Section 1, of printed bill, the word "eight" and inserting in lieu thereof the word "ten."

J. D. LEE,  
Chairman.

On motion of Mr. Lee, the amendment was adopted.

On motion of Mr. Irvine, the bill was ordered engrossed for a third reading to-morrow.

Mr. Lee, Chairman of the Committee on Assessments, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, January 20, 1887. }

*Mr. President*—Your Committee on Assessments, to whom was referred S. B. No. 10, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with following

## AMENDMENT.

Amend S. B. No. 10 by inserting in the title of said bill, in fourth line of printed bill, after the figures \$28,981 70 the words, "Yamhill County, \$1,018 97; Multnomah County, \$2,620 24."

Also amend Section 1 of said bill by adding after the figures \$2,891 70, in line 10 of printed bill, the words, "To the County of Yamhill, \$1,018 97; to the County of Multnomah, \$2,620 24."

J. D. LEE,  
Chairman.

On motion of Mr. Lee, the amendments were adopted.

On motion of Mr. Lee, the bill was ordered engrossed for a third reading to-morrow.

Mr. Looney, Chairman of the Committee on Agriculture, made the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 20, 1887. }

*Mr. President*—Your Committee on Agriculture, to whom was referred S. B. No. 20, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

J. B. LOONEY,  
Chairman.

On motion of Mr. Barin, S. B. No. 20 was ordered engrossed for a third reading to-morrow.

Mr. Looney, Chairman of the Committee on Agriculture, made the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 20, 1887. }

*Mr. President*—Your Committee on Agriculture, to whom was referred S. B. No. 35, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following amendment, to-wit:

## AMENDMENT.

Amend by inserting after the word "negligence" in line 9 of Section 5 the following:

*“Provided, further, that in any such suit or action proof of willful intent on the part of the plaintiff therein to procure the killing or injury of any such stock in the manner aforesaid, shall defeat the recovery of any damages for such killing or injury.”*

J. B. LOONEY,  
Chairman.

On motion of Mr. Wager, the amendment was adopted.

On motion of Mr. Wager, the bill was ordered engrossed for a third reading to-morrow.

Mr. Shupe, Chairman of the Committee on Ways and Means, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 21, 1887. }

*Mr. President*—Your Committee on Ways and Means, to whom was referred S. B. No. 11, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following amendments and additions, namely:

#### AMENDMENT.

Insert the word “entering” in the clause in said bill in reference to fee for admission as an attorney, and making certified copy of the same.

Also, amend said clause by striking out the words “three dollars” where they occur therein, and inserting the words “five dollars,” so that said clause shall read as follows:

“For entering order of admission as an attorney and making certified copy of the same, five dollars.”

Also, amend the clause in said bill in reference to fee for entering any decree or judgment by striking out the words “ninety cents” where they occur in said clause and inserting the words “one dollar,” so that said clause shall read as follows:

“For entering any decree or judgment, one dollar.”

Also, add the following clause to said bill, namely:

“For taxing costs, fifty cents.”

JOHN H. SHUPE,  
Chairman.

On motion of Mr. Shupe, the amendments were adopted.

On motion of Mr. Shupe, the bill was ordered engrossed for a third reading to-morrow.

Mr. Miller called up S. C. R. No. 4, which was read, and on motion of Mr. Miller was adopted.

Mr. Gray, Chairman of the Special Committee to whom was referred H. J. R. No. 7, submitted the following

#### REPORT:

SENATE CHAMBER,  
SALEM, January 21, 1887. }

*Mr. President*—Your Special Committee, to whom was referred House Joint Resolution No. 7, have considered the same and recommend that the Senate concur.

J. H. D. GRAY,  
Chairman.

On motion of Mr. Lee, H. J. R. No. 7 was concurred in by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Steel, Veatch, Weatherford, Wager, Watts—23.

Those voting nay were:

Messrs. Siglin, Simon, Stanley, Williams and Mr. President—5.

Absent—Messrs. Cartwright and Dawson—2.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 21, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed Senate Joint Memorial No. 2.

And the same is herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Wager called up S. J. M. No. 3, relating to the forfeiture of Cascades Branch of the N. P. R. R. land grant.

Mr. Wager moved to adopt S. J. M. No. 3.

On this question the roll was called, and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dawson and Shupe—3.  
So S. J. M. No. 3 was declared adopted.

## MESSAGE FROM THE SECRETARY OF STATE.

STATE OF OREGON,  
OFFICE OF THE SECRETARY OF STATE,  
SALEM, January 21, 1887.

*To the Honorable, the Senate of the State of Oregon:*

In compliance with S. R. No. 15, I have the honor to transmit a printed statement of the white population of the State of Oregon according to the United States census of 1880. I am unable to comply with that portion of said Resolution requiring a statement of the white population of the State in 1885, inasmuch as the census rolls of that year were made up according to the regulations of Chapter II. of the Miscellaneous Laws of Oregon, which make no provision for a separate enumeration of the white inhabitants of the State. Copies of the summary of the State census of 1885, published by Hon. R. P. Earhart, Secretary of State, October 1, 1886, are herewith transmitted.

Your Obedient Servant,  
GEO. W. McBBIDE,  
Secretary of State.

## STATEMENT

Of the white population of the several Counties of Oregon, according to the United States census of 1880:

COUNTIES.	POPULATION.	COUNTIES.	POPULATION.
Baker	3,817	Benton	6,262
Clackamas	8,955	Clatsop	4,790
Columbia	1,962	Coos	4,552
Curry	1,073	Douglas	9,195
Grant	3,384	Jackson	7,680
Josephine	2,159	Lake	2,722
Lane	9,246	Linn	12,520
Marion	14,165	Multnomah	22,972
Polk	6,393	Tillamook	920
Umatilla	9,421	Union	9,401
Wasco	9,817	Washington	6,965
Yamhill	7,734		

I, Geo. W. McBride, Secretary of State of the State of Oregon, hereby certify that the foregoing statement of the white population of the several Counties of Oregon is correctly copied from the United

States census returns of 1880, as published on pages 367 and 368 of the Compendium of the Tenth Census.

Witness my hand and seal of the State, this 21st day  
 { SEAL. } of January, 1887.

GEO. W. McBRIDE,  
 Secretary of State.

The President announced that he was about to sign S. J. M. No. 2, and shortly afterwards he announced that he had signed the same.

#### PROPOSITIONS AND MOTIONS.

The President appointed as a Committee upon S. C. R. No. 4, relating to making inquiry into the work of the State Board of Immigration and the propriety of abolishing the same, Messrs. Shupe and Lee.

Mr. Watts moved that the Senate refer so much of Governor Moody's late message as relates to Assessment and Taxation to the Standing Committee on Assessment, with leave to report at any time, by bill or otherwise, which motion prevailed.

Mr. Hare moved that so much of the message of the Governor as relates to the Irreducible School Fund of this State be referred to the Committee on Education, and that said Committee report by bill or otherwise, which motion prevailed.

Mr. Dimick introduced

#### SENATE CONCURRENT RESOLUTION NO. 8,

As follows:

*Resolved by the Senate, the House concurring:*

That the Secretary of State be requested to have printed 250 copies of the annual reports of the different Railroad Companies doing business in this State, on file in his office for the use of the Legislature.

On motion of Mr. Dimick, S. C. R. No. 8 was adopted.

Mr. Weatherford introduced

#### SENATE RESOLUTION NO. 18,

As follows:

*Resolved,* That the Committee on Printing ascertain and report to the Senate the reason or reasons why the reports of the Secretary of State, State Treasurer and Board of Commissioners for the sale of School, University and other State Lands have not been furnished to the members.

On motion of Mr. Weatherford, S. R. No. 18 was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 21, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. J. R. No. 3.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

Mr. Gray moved that so much of the Governor's and ex-Governor's messages as refer to the pilot service at the mouth of the Columbia River be referred to the Committee on Commerce of both Houses, and report by bill or otherwise, which motion prevailed.

On motion of Mr. Chamberlin, the Special Committee appointed to examine the Insane Asylum was authorized to employ a clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 21, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that House Joint Resolution No. 6 has been adopted by the House, in regard to the manner of the election of United States Senators.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Weatherford moved to adopt H. J. R. No. 6.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Steel, Veatch, Weatherford, Wager, Watts—23.

Those voting nay were:

Messrs. Siglin, Simon, Stanley, Williams, Mr. President—5.

Absent—Messrs. Cartwright and Dawson—2.

So H. J. R. No. 6 was declared adopted.

The President announced that he was about to sign H. J. R. No. 3, and shortly afterwards stated that he had signed it.

Mr. Simon moved that when the Senate adjourn it do adjourn to meet Monday, January 24, at 2 o'clock P. M.

On this question Messrs. Williams and Veatch called for the ayes and nays.

The roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Mr. President—22.

Nays—Messrs. Hare, Miller, Veatch, Weatherford, Wager, Watts—6.

Absent—Messrs. Cartwright and Dawson—2.

So the motion prevailed.

#### INTRODUCTION AND FIRST READING OF BILLS.

Mr. Chamberlin introduced S. B. No. 120, being a bill for an Act in relation to water rights.

Mr. Chamberlin moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager—24.

Nays—None.

Absent—Messrs. Cartwright, Chandler, Cauthorn, Dawson, Watts, and Mr. President not voting—6.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Wager introduced S. B. No. 121, being a bill for an Act to create Normal School Districts and establish and maintain Normal Schools therein and to provide for their maintenance and government.

Mr. Wager moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.



Absent—Messrs. Cartwright, Cauthorn, Dawson—3.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Gray introduced S. B. No. 122, being a bill for an Act to provide for the appointment of a boatman at Astoria, Oregon.

Mr. Gray moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Cauthorn and Dawson—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Barin introduced S. B. No. 123, being a bill for an Act to regulate fire and marine insurance.

Mr. Barin moved that the rules be suspended and the Bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Dawson and Gray—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Wager introduced S. B. No. 124, being a bill for an Act entitled an Act to amend an Act to regulate the fees of officers in certain counties.

Mr. Wager moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Dawson and Gray—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

On motion of Mr. Simon, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

MONDAY, JANUARY 24, 1887.

AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, January 24, 1887. }

The Senate met pursuant to adjournment, and was called to order by the President.

The roll was called, and all the Senators were present except Messrs. Cauthorn, Dimick, Hare, Wager and Watts.

Prayer was offered by Rev. G. M. Irwin of Union, Oregon.

The Journal of Friday was read and approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 21, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has appointed as members of the Joint Committee on S. C. R. 5, to examine accounts of Rogue river bridge, on the part of the House, Messrs. Lafollett of Marion, Paulsen and I. D. Miller.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 21, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has appointed on Joint Committee called for by S. C. R. No. 7, to examine the method of expenditure of money by the State Board of Agriculture, on the part of the House, Messrs. McCully, Paulsen and R. A. Miller.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 21, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has apointed, on the part of the House, as members of the Joint Committee to visit the Penitentiary and report as to its management, etc., Messrs. Summers, Holland and McKenzie. (H. C. R. 17.)

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 21, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. J. R. No. 3.

And the same is herewith transmitted to the Senate.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 21, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. M. No. 3.

And the same is herewith transmitted.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 21, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in Senate Concurrent Resolution No. 4, providing for a Joint Committee on State Board of Immigration.

And the same is herewith transmitted to the Senate.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 21, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. C. R. No. 8, requesting the Secretary of State to have printed 250 copies of the annual reports of the different Railroad Companies doing business in this State.

And the same is herewith transmitted to the Senate.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 21, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. J. M. No. 2 has been adopted by the House, asking Congress to pay the war claim audited by Philo Callender.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Weatherford, H. J. M. No. 2 was ordered referred to the Committee on Claims.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 21, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. J. R. No. 8 has been adopted by the House, authorizing the Auditing Board to audit and allow all just claims of Captain D. B. Reams in equipping a company of cavalry to protect the citizens of Wallowa Valley, in Union County, Oregon, against the depredation of Indians.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Rinehart, H. J. R. No. 8 was ordered referred to the Committee on Claims.

The courtesies of the Senate were extended to Ex-Senator Wm. Waldo.

Mr. Hare introduced, by unanimous consent, S. B. 125, being a bill for an Act declaring what shall constitute the Irreducible School Fund of this State and to provide for its investment.

The bill was read the first time and passed to a second reading without a question.

Mr. Hare moved that the rules be suspended and the bill be read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Mr. President—29.

Nays—None.

Absent—Mr. Watts—1.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Hare referred to the Committee on Education.

Mr. Chandler introduced S. B. 126, being a bill for an Act to regulate the driving of live stock into or through any county of this State and to define who are stock drovers.

The bill was read the first time and passed to a second reading without a question.

Mr. Simon, by request, introduced S. B. No. 127, being a bill for an Act to amend Section 13 of Chapter XXIII. of the Miscellaneous Laws of Oregon.

Mr. Simon moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Mr. President—28.

Nays—None.

Absent—Messrs. Allen and Watts—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Simon introduced S. B. No. 128, being a bill for an Act to provide for the subjection of debts due by judgment to the levy of attachment and execution.

The bill was read the first time and passed to a second reading without a question.

Mr. Wager introduced S. B. No. 129, being a bill for an Act to amend Sections 5 and 6 of Chapter IX. of Miscellaneous Laws.

The bill was read the first time and passed to a second reading without a question.

Mr. Miller introduced S. B. No. 130, being a bill for an Act to create a State Board of Immigration and Manufacturing Commissioners.

Mr. Miller moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Mr. President—28.

Nays—None.

Absent—Barin and Watts—2.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Coleman introduced, by request, S. B. No. 131, being a bill for an Act to authorize the Secretary of State to purchase portraits of the Governors of the State.

The bill was read the first time and passed to a second reading without a question.

#### SECOND READING OF BILLS.

S. B. No. 67 was read a second time, and on motion of Mr. Simon was referred to the Committee on Military Affairs.

S. B. No. 68 was read a second time, and on motion of Mr. Gray was referred to the Committee on Counties.

S. B. No. 69 was read a second time, and on motion of Mr. Stanley was referred to the Committee on Judiciary.

S. B. No. 70 coming on for a second reading, Mr. Wager moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Mr. President—27.

Nays—None.

Absent—Messrs. Rinehart, Shupe and Watts—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager was referred to the Committee on Railroads.

S. B. No. 71 was read a second time, and on motion of Mr. Steel was referred to the Committee on Judiciary.

S. B. No. 72 coming on for a second reading, Mr. Gray moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Rinehart, Watts—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Gray the bill was referred to the Joint Committee on Fishing.

S. B. No. 73 was read a second time, and on motion of Mr. Steel was referred to the Committee on Roads and Highways.

S. B. No. 74 was read a second time, and on motion of Mr. Stanley was referred to the Joint Special Committee on Immigration.

S. B. No. 75 was read a second time, and on motion of Mr. Dawson was referred to the Committee on Corporations.

S. B. No. 76 was read a second time, and on motion of Mr. Gray was referred to the Joint Committee on Fisheries.

S. B. No. 77 was read a second time, and on motion of Mr. Gray was referred to the Committee on Judiciary.

S. B. No. 78 coming on for a second reading, Mr. Irvine moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Mr. President—28.

Nays—None.

Absent—Messrs. Barin, Watts—2.

So the rules were suspended and the bill was read the second time

by title, and on motion of Mr. Irvine was referred to the Committee on Railroads.

S. B. No. 79 was read a second time, and on motion of Mr. Steel was referred to the Committee on Claims.

S. B. No. 80 was read a second time, and on motion of Mr. Coleman was referred to the Committee on Education.

S. B. No. 81 was read a second time, and on motion of Mr. Hare was referred to the Committee on Public Lands.

S. B. No. 82 was read a second time, and on motion of Mr. Cartwright was referred to the Committee on Roads and Highways.

S. B. No. 83 coming on for a second reading, Mr. Cartwright moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Mr. President—29.

Nays—None.

Absent—Mr. Watts—1.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Cartwright was referred to the Committee on Counties, with leave to report at any time.

S. B. No. 86 was read a second time, and on motion of Mr. Simon was referred to the Committee on Judiciary.

S. B. No. 88 was read a second time, and on motion of Mr. Coleman was referred to the Committee on Railroads.

On motion of Mr. Coleman, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

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TUESDAY, JANUARY 25, 1887.

MORNING SESSION.

SENATE CHAMBER, }  
SALEM, January 25, 1887. }

The Senate met pursuant to adjournment and was called to order by the President.



The roll was called and all the Senators were present except Messrs. Cartwright, Chamberlin, Siglin and Weatherford.

Prayer was offered by Rev. J. C. Baker of Salem.

The Journal of yesterday was read and approved.

The courtesies of the Senate were extended to Messrs. Watt, J. W. Grim and Colonel Chapman, and they were invited to seats within the bar of the Senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 24, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has appointed Messrs. Hicks, McCully and Mitchell, on the part of the House, on Joint Committee to investigate the management of the State Board of Immigration.

And the same is herewith transmitted.

A. C. JENNINGS,  
Chief Clerk.

#### SECOND READING OF BILLS.—CONTINUED.

S. B. No. 85 coming on for a second reading, Mr. Hare moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Mr. President—25.

Nays—None.

Absent—Messrs. Chamberlin, Rinehart, Siglin, Steel and Watts—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Hare referred to the Committee on Judiciary.

S. B. No. 87 coming on for a second reading, Mr. Shupe moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Allen, Bird, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller,

Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Coleman, Chamberlin, Rinehart, Siglin and Weatherford—6.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Shupe was referred to the Committee on Judiciary.

S. B. No. 90 coming on for a second reading, Mr. Hare moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Chamberlin—1.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Hare was referred to the Committee on Corporations.

S. B. No. 92 was read a second time, and on motion of Mr. Cauthorn was referred to the Committee on Education.

S. B. No. 93 was read a second time, and on motion of Mr. Looney was referred to the Committee on Agriculture.

S. B. No. 95 was read a second time, and on motion of Mr. Dimick was amended as follows:

#### AMENDMENT.

By striking out of line 1 after the phrase "Section 1," in printed bill, the words "Be it enacted by the Legislative Assembly of the State of Oregon," and by inserting after the title of the bill and before Section 1 of said bill, the enacting clause, as follows: "Be it enacted by the Legislative Assembly of the State of Oregon."

On motion of Mr. Dimick, the bill with amendment was referred to a select Special Committee to be appointed by the President, with leave to report at any time.

S. B. 98 was read a second time, and on motion of Mr. Weatherford was referred to the Committee on Roads and Highways.

S. B. No. 99 was read a second time, and on motion of Mr. Stanley was referred to the Committee on Judiciary.

S. B. No. 100 was read a second time, and on motion of Mr. Wager was referred to the Committee on Counties.

S. B. No. 102 was read a second time, and on motion of Mr. Dimick was referred to the Committee on Corporations.

S. B. No. 104 coming on for a second reading, Mr. Steel moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Rinehart, Siglin, Williams—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Steel was referred to the Committee on Education.

S. B. No. 89 coming on for a second reading, Mr. Chandler moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Rinehart and Siglin—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chandler was referred to the Committee on Ways and Means.

S. B. No. 105 coming on for a second reading, Mr. Barin moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Rinehart and Siglin—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Barin was referred to the Committee on Judiciary.

S. B. No. 106 coming on for a second reading, Mr. Chamberlin moved that the rules be suspended and the bill be read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Rinehart, Siglin and Williams—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chamberlin was referred to the Committee on Education.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 25, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that House Joint Resolutions Nos. 6 and 7 have been correctly enrolled.

And are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

S. B. No. 107 was read a second time, and on motion of Mr. Chamberlin was referred to the Committee on Public Lands.

S. B. No. 108 was read a second time, and on motion of Mr. Miller was referred to the Committee on Judiciary.

S. B. No. 109 was read a second time, and on motion of Mr. Shupe was referred to the Committee on Counties.

S. B. No. 110 was read a second time, and on motion of Mr. Coleman was referred to the Committee on Judiciary.

S. B. No. 111 was read a second time, and on motion of Mr. Williams was referred to the Committee on Judiciary.

The President announced that he was about to sign S. J. R. No. 3, and shortly after stated that he had signed the same.

The President announced that he was about to sign H. J. R. No. 6, and shortly after stated that he had signed the same.

The President announced that he was about to sign H. J. R. No. 7, and shortly after stated that he had signed the same.

#### THIRD READING OF BILLS.

S. B. No. 6 was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Siglin—1.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 17 was read a third time, and on motion of Mr. Shupe was referred to the Committee on Commerce for correction, with leave to report at any time.

S. B. No. 119 was read the third time, and on motion of Mr. Chandler a call of the Senate was ordered.

The roll was called and all the Senators were present except Messrs. Miller, Rinehart, Siglin and Wager—4.

On motion of Mr. Chandler, further call of the Senate was dispensed with.

The question now being stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Miller, Rinehart, Siglin and Wager—4.

So the bill passed, and on motion of Mr. Chandler, the following title stands as the title of the Act:

**"INTRODUCED BY MR. CHANDLER."**

"A bill for an Act to incorporate Baker City, Oregon, and to repeal an Act, entitled an Act to incorporate Baker City, in Baker county, Oregon, approved October 13, 1874, and an Act entitled an Act to amend an Act entitled an Act to incorporate Baker City, in Baker county, Oregon, approved October 13, 1874, approved October 19, 1878, and an Act entitled an Act to amend an Act entitled an Act to incorporate Baker City, Oregon, approved October 13, 1874, and to add to said Act Article VI.; also to amend an Act, amendatory of said Act of incorporation, approved October 19, 1878, and to add Article VI. to said Act to incorporate said city, approved October 13, 1874, and the Sections 1 to 4 thereof, inclusive,

approved October 16, 1882, and an Act entitled an Act to amend an Act entitled an Act to incorporate Baker City, Oregon, approved October 13, 1874, and to add to said Act Article XLI.; also to amend an Act amendatory of said Act of incorporation, approved October 19, 1878, and to add Article XLI. to said Act to incorporate said city, approved October 13, 1874, and the Sections 1 to 41, inclusive, approved October 16, 1882, approved February 16, 1885, and all Acts and parts of Acts in conflict herewith."

On motion of Mr. Weatherford, the Senate adjourned.

### AFTERNOON SESSION.

The Senate met pursuant to adjournment, and was called to order by the President.

The roll was called and all Senators were found present except Messrs. Cartwright, Hamilton, Looney and Steel.

The President appointed Messrs. Dimick, Hare and Weatherford a Special Committee, to whom was referred S. B. No. 95.

On motion of Mr. Weatherford, it was ordered that when the Senate adjourn it adjourn to meet at 7:30 o'clock this evening.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

### REPORT.

SENATE CHAMBER,  
SALEM, January 25, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 37, 10, 16, 7, 45, 47, 20, 38, 11, 35, 3 and 4, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

Mr. Barin, Chairman of the Committee on Commerce, submitted the following

### REPORT.

SENATE CHAMBER,  
SALEM, January 25, 1887. }

*Mr. President*—Your Committee on Commerce, to whom was referred Senate Bill No. 17 for correction, beg leave to report that they have had the same under consideration, and would respectfully re-

port it back to the Senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

Mr. Steel was excused from attending the Session this afternoon on account of sickness, and Messrs. Looney and Hamilton were also excused from attendance on this afternoon Session to attend to Committee work.

### THIRD READING OF BILLS—CONTINUED.

S. B. No. 17 was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Miller, Rinehart, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Cartwright, Hamilton, Looney, Siglin and Steel—5.

So the bill was passed, and the title of the bill stands as the title of the Act.

S. B. No. 37 was read the third time, and on motion of Mr. Simon the word "are" after the word Court in line 6 on the fifth page of engrossed bill was changed to "is," and the Clerk was instructed to make the aforesaid change.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Miller, Rinehart, Shupe, Simon, Siglin, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—Mr. Veatch—1.

Absent—Messrs. Chandler, Hamilton, Looney, Stanley and Steel—5.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 10 was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Miller, Rinehart, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.



Nays—Mr. Chandler—1.

Absent—Messrs. Cartwright, Hamilton, Looney, Siglin and Steel—5.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 7 was read the third time and Mr. Veatch secured the unanimous consent of the Senate to withdraw Lane County from the operation of the bill, and Mr. Watts, by unanimous consent, withdrew Yamhill County from the operation of the bill.

Now the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Miller, Rinehart, Siglin, Shupe, Simon, Veatch, Weatherford, Wager, Watts, Mr. President—25.

Nays—Mr. Williams—1.

Absent—Messrs. Hamilton, Looney, Stanley, Steel—4.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 4 was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chamberlin, Dawson, Dimick, Hare, Irvine, Lee, Siglin, Veatch, Weatherford, Watts—13.

Nays—Messrs. Barin, Cartwright, Chandler, Cauthorn, Emmett, Gray, Miller, Rinehart, Shupe, Simon, Stanley, Williams, Wager, Mr. President—14.

Absent—Messrs. Hamilton, Looney and Steel—3.

So the bill was not passed.

S. B. No. 11 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Hamilton and Looney—2.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 20 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:



Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Hamilton, Looney and Siglin—3.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 35 was read a third time.

Mr. Wager, by unanimous consent of the Senate, asked that the emergency clause be made Section 7, whereupon the Clerk was ordered to prefix the word and figure "Section 7" before the emergency clause in the engrossed copy.

On motion of Mr. Wager, the bill was recommitted to the Committee on Agriculture.

On motion of Mr. Allen, the Senate adjourned.

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### EVENING SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Chandler, Cauthorn, Dimick, Shupe, Stanley and Watts—6.

S. B. No. 3 was read the third time, whereupon, on motion of Mr. Veatch, a call of the Senate was ordered.

All the Senators were found present except Messrs. Allen, Coleman, Cauthorn, Chamberlin, Miller, Rinehart, Shupe, Stanley, Weatherford, Wager and Watts—11.

Some of the absentees having entered the Senate Chamber, on motion of Mr. Veatch further call of the Senate was dispensed with.

Now the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Siglin, Simon, Stanley, Steel, Veatch, Williams, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Coleman, Cauthorn, Irvine, Rinehart, Shupe, Weatherford, Wager, Watts—9.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 84 was read the third time and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Simon, Stanley, Steel, Williams, Weatherford, Mr. President—20.

Nays—None.

Absent—Messrs. Coleman, Chandler, Cauthorn, Irvine, Rinehart, Shupe, Siglin, Veatch, Wager and Watts—10.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 16 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Simon, Stanley, Steel, Williams, Weatherford, Mr. President—22.

Nays—None.

Absent—Messrs. Chandler, Irvine, Rinehart, Siglin, Shupe, Veatch, Wager, Watts—8.

So the bill passed, and it was ordered that the title of the bill stand as the title of the Act.

On motion of Mr. Coleman, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

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WEDNESDAY, JANUARY 26, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, January 26, 1887. }

The Senate met pursuant to adjournment, and was called to order by the President.

The roll was called and all Senators were present except Messrs. Coleman, Rinehart, Siglin and Simon.

Prayer was offered by Rev. J. W. Hill of Salem.

The Journal of yesterday was read and approved.

THIRD READING OF BILLS.

S. B. No. 38 was read a third time.

Mr. Miller moved the call of the Senate.

The roll being called all Senators were found to be present except Mr. Steel and Mr. Siglin, who were reported sick and excused from attendance to-day.

On motion of Mr. Hare, further call of the Senate was dispensed with.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Rinehart, Simon, Wager, Mr. President—5.

Nays—Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Stanley, Steel, Veatch, Williams, Weatherford, Watts—24.

Absent—Mr. Siglin—1.

So the bill was declared not passed.

S. B. No. 45 was read the third time, and the question being, "Shall the bill pass?" the roll was called and vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Chandler, Siglin and Williams.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 47 was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—26.

Nays—Mr. Miller—1.

Absent—Messrs. Chandler, Weatherford and Siglin—3.

So the bill passed, and the title of the bill stands as the title of the Act.

#### FIRST READING OF HOUSE BILLS.

H. B. No. 19 coming on for the first reading, Mr. Weatherford moved that the rules be suspended and H. B. No. 19 be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Coleman, Cartwright, Chandler and Siglin—4.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

H. B. No. 26 coming on for the first reading, Mr. Wager moved that the rules be suspended and H. B. No. 26 be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Cartwright and Siglin—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Wager moved that the rules be further suspended and H. B. No. 26 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Cartwright and Siglin—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager was referred to the Committee on Corporations.

Mr. Chamberlin, by unanimous consent, introduced S. C. R. No. 9, as follows:

#### SENATE CONCURRENT RESOLUTION NO. 9.

WHEREAS, A bill has passed the Senate of the United States, and is now pending in the House of Representatives, providing for the purchase by the General Government for the use of the Indian

Training School at Chemawa, Oregon, of the following described premises, to-wit: land in Sec. 31 of T. 6 S., R. 2 W.; Sec. 36 of T. 6 S., R. 3 W.; Sec. 1 of T. 7 S., R. 3 W., and Sec. 6 of T. 7 S., R. 2 W. of Willamette Meridian, bounded and described by, beginning at the north-west corner of the Wm. B. Stephens' Donation Land Claim, running thence south to the south-west corner of the said Stephens' claim; thence south on the line of the Janet Pugh Donation Land Claim to a point where is set a post from which a fir 15 inches in diameter bears S.  $26^{\circ}$  E., 109 links distant, and a fir 6 inches in diameter bears North  $77\frac{3}{4}^{\circ}$  East, 48 links distant; thence west along the north boundary line of the said Janet Pugh Donation Land Claim 27.30 chains to the center of the O. & C. R. R. track, where is driven an iron bar 18 inches long by  $\frac{5}{8} \times 1\frac{1}{2}$  inches, at a corner in said track from which a fir 26 inches in diameter bears N.  $85\frac{1}{2}^{\circ}$  E., 102 links distant, and a fir 20 inches in diameter bears N.  $75^{\circ} 51'$  W., 80 links distant; thence N.  $18\frac{1}{2}^{\circ}$  E. along the center of the railroad track 43.54 chains to a point directly west of the north-west corner of the Wm. B. Stephens' Donation Claim; thence east 13.50 chains to the place of beginning, containing 84.92 acres, more or less; and

WHEREAS, Section 355 of the Revised Statutes of the United States provides that "No public money shall be expended upon any site or land purchased by the United States for the purpose of erecting thereon any armory, arsenal, fort, fortification, navy yard, custom house, light house, or other public building of any kind whatever, until the written opinion of the Attorney-General shall be had in favor of the validity of the title, nor until the consent of the Legislature of the State in which the land or site may be situated to such purpose has been given." Now, therefore, be it

*Resolved by the Senate of the State of Oregon, the House concurring:*

That the consent of the Legislature of the State of Oregon to the purchase by the United States of the said described land for the use of the said Indian Training School be and the same is hereby given.

Mr. Chamberlin moved to adopt S. C. R. No. 9.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Steel, Veatch, Williams, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Cartwright, Chandler, Hare, Siglin, Simon, Stanley and Weatherford—7.

So S. C. R. No. 9 was declared adopted.

H. B. No. 19 coming on for a second reading, Mr. Shupe moved that the rules be suspended and the bill be read the second time by title.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinchart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Siglin—1.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Shupe was referred to the Committee on Corporations, with leave to report at any time.

#### REPORTS OF STANDING COMMITTEES.

Mr. Simon submitted the report of the Judiciary Committee on S. B. No. 15, as follows :

#### REPORT.

SENATE CHAMBER, )  
SALEM, January 26, 1887. )

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 15, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following amendments :

#### FIRST AMENDMENT.

Add the words in the (8) eighth line of Section (1) one, printed bill, after the word thereon in said eighth line of Section (1) one the following :

“ Under the limitations and restrictions contained in this Act and not otherwise.”

#### SECOND AMENDMENT.

Strike out all after the words “ a draw ” in line fifteen of Section 1 of printed bill and insert the following in lieu thereof :

"Of such width as shall be determined by a Board of three competent engineers, two to be appointed for that purpose by the Mayor of the City of Portland, with the advice and consent of the Common Council of said city, and one to be appointed by the Mayor of the City of East Portland, by and with the advice and consent of the Common Council of said city, leaving a passage through said bridge of such width in the clear, and be so constructed as to allow the easy passage of all vessels, either steam or sail, through said bridge; *provided*, said draw shall not be less than one hundred and fifty (150) feet in the clear.

"*Provided, further*, that said bridge shall be so constructed and built as not to obstruct or unnecessarily injuriously affect the navigation of said river."

#### THIRD AMENDMENT.

Strike out Section (2) two and insert the following in lieu thereof:

"SEC. 2. That the Legislative Assembly of this State shall have the right, power and authority at any time to prescribe such rules, regulations and rates of toll for transit and transportation over said bridge and the management thereof as may be deemed proper and reasonable, except that the County Court of Multnomah County is hereby authorized to fix, alter and establish from time to time the rates of toll to be charged by such corporation or its assigns for the passage of footmen, vehicles and ordinary travel other than rail; *provided*, that said corporation or its assigns shall permit any other railroad corporation or its assigns to use said bridge in the same manner and under the same rules and regulations as said corporation or its assigns, authorized to construct and use said bridge, as may be prescribed for its own traffic across said bridge, on paying a reasonable compensation therefor; and in case said companies shall not agree, then the Governor, Secretary of State and State Treasurer of this State shall constitute a Board to determine what said compensation shall be, with power to send for persons and papers, and compel attendance and production thereof, and administer oaths and take testimony for the purpose of arriving at a correct decision in reference to the compensation to be paid; and this decision shall be final unless altered or changed by the Legislature."

#### FOURTH AMENDMENT.

Strike out all of Section 3 and insert the following Section:

"3. That on the filing of an acceptance of the terms of this Act



by said corporation in the office of the Secretary of State, signed by its President and attested by its Secretary, and on entering into an agreement by said corporation with the State of Oregon that in the construction of said bridge none but white labor shall be employed, which agreement shall be filed with the Secretary of State, and upon entering in good faith upon the work of constructing said bridge by said corporation or its assigns within six months from the passage of this Act, and completing the same within two years from the taking effect of this Act, the rights herein specified shall be deemed and become a granted and vested franchise; *provided*, that if said corporation or its assigns shall fail to comply with the provisions of this Section within the time specified for the commencement of the construction of said bridge in good faith and its rights under this Act shall be deemed waived and forfeited, and thereupon, if any other railroad corporation duly incorporated under the laws of this State, shall within six months thereafter duly comply with the provisions of this Act, such corporation so complying therewith shall become entitled to and shall be vested with all the rights, privileges and franchises in and by this Act granted, under the limitations and restrictions herein provided."

JOSEPH SIMON,  
Chairman.

Mr. Weatherford moved that the amendment as reported by the Judiciary Committee be amended as follows:

AMENDMENT.

Amend the amendment to S. B. No. 15, as recommended by the Judiciary Committee, as follows:

Strike out all of that part of the second amendment proposed by the Committee, commencing with the words "by the Mayor of the city of Portland, with the advice and consent of the Council of said city, and one to be appointed by the Mayor of the city of East Portland, by and with the consent of the Common Council of said city," and insert the following:

"The Governor of the State of Oregon, by and with the consent of the Senate, said appointment to be made at least six days before the adjournment of the present Session of the Legislature."

Pending the amendment to the amendment of S. B. No. 15, the Senate on motion of Mr. Lee adjourned.

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AFTERNOON SESSION.

The Senate met pursuant to adjournment and was called to order by the President.



The roll was called and all the Senators were found to be present except Messrs. Cauthorn, Dimick and Stanley.

The courtesies of the Senate were extended to ex-Senators Solomon Hirsch and H. W. Corbett, also to ex-Governor Whiteaker.

The Senate proceeded to the consideration of Mr. Weatherford's amendment to the Judiciary Committee's amendment of S. B. No. 15, and a vote being taken on said amendment to the amendment, the same was declared lost.

Mr. Simon, Chairman of the Committee on Judiciary, moved that the amendments to S. B. No. 15 as reported be adopted, which motion prevailed.

On motion of Mr. Simon, it was ordered that the bill, together with the amendment, be referred to the Engrossing Committee for proper engrossment, and that it be printed as engrossed and made the special order for to-morrow morning at 10 o'clock.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 26, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. J. M. No. 3 has been adopted by the House, providing for the buoying of the Umpqua River up as far as Gardiner.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Shupe, H. J. M. No. 3 was concurred in by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Cauthorn and Simon—2.

Mr. Allen, Chairman of the Committee on Claims, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 25, 1887. }

*Mr. President*—Your Committee on Claims, to whom was referred

H. J. R. No. 8, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it be concurred in.

JOHN C. ALLEN,  
Chairman.

On motion of Mr. Allen, the report was adopted.

Mr. Allen moved to concur in H. J. R. No. 8.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Stanley, Veatch, Williams, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Cauthorn, Siglin, Shupe, Simon, Steel and Weatherford—6.

So H. J. R. No. 8 was declared concurred in.

Mr. Allen, Chairman of the Committee on Claims, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 25, 1887. }

*Mr. President*—Your Committee on Claims, to whom was referred H. J. M. No. 2, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it be concurred in.

JOHN C. ALLEN,  
Chairman.

Mr. Allen now moved to concur in H. J. M. No. 2.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cauthorn, Dimick, Siglin and Simon—4.

So H. J. M. No. 2 was declared concurred in.

Mr. Watts introduced petitions from the people on the subject of temperance, which on motion of Mr. Watts were referred to the Committee on Education.

Mr. Simon, Chairman of the Judiciary Committee, submitted the following majority

## REPORT.

SENATE CHAMBER,  
SALEM, January 25, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 86, beg leave to report that they have had the same under consideration and would respectfully report it back to the Senate with the recommendation that it do pass.

JOSEPH SIMON,  
J. M. SIGLIN,  
L. T. BARIN.

On motion of Mr. Simon, S. B. No. 86 was ordered engrossed.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 25, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 1, to regulate foreign corporations doing business in this State, powers and duties of such, beg leave to report that they have had the same under consideration and would respectfully report the same back to the Senate with the recommendation that it do pass as amended :

## FIRST AMENDMENT.

Strike out all of Section 6, printed bill, and insert the following :

“Such deposits shall be made in interest bearing bonds of the United States, the bonds of the State of Oregon, or any Municipal, School District, County or Town bonds issued by legal authority in the State of Oregon, the marketable value of which are at or above par, and shall safely be kept for the benefit and security of persons transacting business with such corporations or associations in this State for claims and demands arising out of said business, and shall be held and considered specially pledged for such security for such claims and demands.”

## SECOND AMENDMENT.

Add the word “first” in line (2) two, Section (8) eight of printed bill, after the word “by” in said Section and line.

## THIRD AMENDMENT.

Strike out Section (11) eleven of printed bill.

## FOURTH AMENDMENT.

Strike out line (6) six in Section (14) fourteen of printed bill.

J. M. SIGLIN,  
W. D. HARE,  
L. T. BARIN,  
J. K. WEATHERFORD.

On motion of Mr. Weatherford, the amendments were adopted.

On motion of Mr. Weatherford, the bill was ordered engrossed for a third reading to-morrow.

Mr. Allen, Chairman of the Committee on Claims, made the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 25, 1887. }

*Mr. President*—Your Committee on Claims, to whom was referred Senate Bill No. 58, for an Act of relief to Joel G. Hembree, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following

## AMENDMENT.

That the words "Nine hundred and forty-six dollars and eighteen cents" be stricken out, and the words "Four hundred and sixty-six dollars and forty cents" be inserted.

JOHN C. ALLEN,  
Chairman.

On motion of Mr. Allen, the amendment was adopted and the bill was ordered engrossed for a third reading to-morrow.

Mr. Bird, Chairman of the Committee on Corporations, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 25, 1887. }

*Mr. President*—Your Committee on Corporations, to whom was re-

ferred Senate Bill No. 90, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following

AMENDMENT.

Insert after the title of the Act, "Be it enacted by the Legislative Assembly of the State of Oregon."

R. P. BIRD,  
Chairman.

On motion of Mr. Bird, the amendment was adopted.

On motion of Mr. Bird, the bill was ordered engrossed for a third reading to-morrow.

Mr. Miller, Chairman of the Committee on Railroads, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, January 26, 1887. }

*Mr. President*—Your Committee on Railroads, to whom was referred Senate bill No. 52, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following

AMENDMENT.

That Section 3 of the bill be numbered Section 4, and that there be inserted in the bill Section 3 which shall read as follows:

"SECTION 3. That Section 4 of said Act be and the same is hereby amended so as to read as follows:

"That it shall be unlawful for any person engaged in the transportation of property, as prescribed in the first Section of this Act, to charge or receive any greater compensation for similar amount or kind of property for carrying, receiving, storing, forwarding or hauling the same for a shorter than a longer distance in the same direction; and it shall be unlawful for any person or persons engaged in the transportation of property to charge for any carload of mixed articles, grain or produce, shipped at one time by one consignor to one consignee at one destination, a price greater than the regular rate for a straight carload of such articles, grain or produce therein contained, bearing the highest carload rates.

H. B. MILLER,  
Chairman.

On motion of Mr. Miller, the amendments were adopted.

On motion of Mr. Miller, the bill was ordered engrossed for a third reading to-morrow.

Mr. Dawson, Chairman of the Committee on Roads and Highways, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 25, 1887. }

*Mr. President*—Your Committee on Roads and Highways, to whom was referred Senate Bill No. 13, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it be amended as follows:

#### AMENDMENT.

In line 10 of the printed bill, after the word notice, there be inserted the words, "*provided*, the notice shall specify in the body thereof the names of the petitioners."

S. A. DAWSON,  
Chairman.

On motion of Mr. Coleman, the amendment was adopted.

On motion of Mr. Dawson, the bill was ordered engrossed for a third reading to-morrow.

Mr. Dawson, Chairman of the Committee on Roads and Highways, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 25, 1887. }

*Mr. President*—Your Committee on Roads and Highways, to whom was referred Senate Bill No. 27, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass amended as follows:

#### AMENDMENT.

After the word "wide" in line 6 of the printed bill insert the words "to be covered with planking not less than two inches thick."

S. A. DAWSON,  
Chairman.

On motion of Mr. Dawson, the amendment was adopted.

On motion of Mr. Dawson, the bill was ordered engrossed for a third reading to-morrow.

Mr. Dawson, Chairman of the Committee on Roads and Highways, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 25, 1887. }

*Mr. President*—Your Committee on Road and Highways, to whom was referred Senate Bill No. 30, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

S. A. DAWSON,  
Chairman.

On motion of Mr. Dawson, the bill was ordered engrossed for a third reading to-morrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 26, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. C. R. No. 9, providing for the purchase by the General Government for the use of the Indian Training School at Chemawa, Oregon, of certain lands.

And the same is herewith returned.

A. C. JENNINGS,  
Chief Clerk.

Mr. Chamberlin, Chairman of the Committee on Counties, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 24, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred Senate bill No. 50, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

M. L. CHAMBERLIN,  
Chairman.

On motion of Mr. Chamberlin, the bill was ordered engrossed for a third reading to-morrow.

Mr. Chamberlin, Chairman of the Committee on Counties, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, January 25, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred S. B. No. 83, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate without recommendation.

M. L. CHAMBERLIN,  
Chairman.

On motion of Mr. Cartwright, the bill was re-referred to the Committee on Counties.

Mr. Chamberlin, Chairman of the Committee on Counties, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, January 26, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred S. B. No. 63, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following

AMENDMENTS.

In Section 1 of the printed bill, line 7, insert the word "ten" in place of the word "eight," and in the same Section, line 22, insert the word "twelve" in place of "fifteen," and in line 24, printed bill, insert the word "two" in place of "five."

M. L. CHAMBERLIN,  
Chairman.

On motion of Mr. Chamberlin, the amendments were adopted.

On motion of Mr. Miller, the bill was ordered engrossed for a third reading to-morrow.

Mr. Dimick, Chairman of the Committee on Military Affairs, submitted the following



## REPORT.

SENATE CHAMBER, }  
SALEM, January 26, 1887. }

*Mr. President*—Your Committee on Military Affairs, to whom was referred Senate Bill No. 67, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

J. B. DIMICK,  
Chairman.

On motion of Mr. Simon, the bill was ordered engrossed for a third reading to-morrow.

Mr. Williams, Chairman of the Committee on Enrollment, submitted the following

## REPORT.

SENATE CHAMBER, }  
SALEM, January 26, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred S. J. M. No. 3, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

Mr. Williams, Chairman of the Committee on Enrollment, made the following

## REPORT.

SENATE CHAMBER, }  
SALEM, January 26, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Joint Resolution No. 5, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

Mr. Looney, Chairman of the Committee on Agriculture, submitted the following

## REPORT.

SENATE CHAMBER, }  
SALEM, January 26, 1887. }

*Mr. President*—Your Committee on Agriculture, to whom was re-

ferred S. B. No. 35, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following amendments, to-wit:

FIRST AMENDMENT.

Strike out all that part of Section 4 after the word thereof, in line 4 of printed bill, and insert in place thereof the following:

Shall immediately cause to be filed a notice of such killing or injury, by filing a concise description of the animal or animals so killed or injured, including any and all brands, ear-marks or other marks of ownership, and if only injured, the nature of such injury, with the railroad agent at the two extremities of the sections on which such killing or injury took place and also with all intermediate agents on such section. Said description shall be open to inspection at all reasonable hours of each week day for one month after such killing or injury took place.

SECOND AMENDMENT.

Strike out of Section 4 in line 2 the word "publish" and insert "file;" also the word "published" in line 3 in same section and insert "filed;" and strike out the words "or offer for publication" in same line.

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, the amendments were adopted.

On motion of Mr. Looney, the bill was ordered engrossed for a third reading to-morrow.

Mr. Looney, Chairman of the Committee on Agriculture, submitted the following

REPORT.

SENATE CHAMBER, }  
SALEM, January 26, 1887. }

*Mr. President*—Your Committee on Agriculture, to whom was referred S. B. No. 64, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do not pass.

J. B. LOONEY,  
Chairman.

On motion of Mr. Wager, the bill was indefinitely postponed.

Mr. Looney, Chairman of the Committee on Agriculture, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 26, 1887. }

*Mr. President*—Your Committee on Agriculture, to whom was referred S. B. No. 46, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do not pass.

J. B. LOONEY,  
Chairman.

On motion of Mr. Simon, the bill was indefinitely postponed.

## REPORTS OF SPECIAL COMMITTEES.

Mr. Dimick, Chairman of the Special Committee, to whom was referred S. B. No. 95, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 26, 1887. }

*Mr. President*—Your Committee, to whom was referred Senate Bill No. 95, be leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

J. B. DIMICK,  
Chairman.

On motion of Mr. Dimick, the report was adopted and the bill was referred to the Committee on Engrossment and ordered to a third reading to-morrow.

Mr. Simon, on the part of the Special Committee, to whom was referred S. B. No. 40, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 20, 1887. }

*Mr. President*—Your Special Committee, consisting of the Senators from Multnomah County, to whom was referred S. B. No. 40, beg leave to report that they have had the same under consideration,

and would respectfully report it back to the Senate with the recommendation that it do pass.

G. A. STEEL,  
JOSEPH SIMON,  
J. C. CARSON.

On motion of Mr. Simon, S. B. No. 40 was ordered engrossed for a third reading to-morrow.

On motion of Mr. Simon, it was ordered that the Joint Committee on Apportionment have leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, January 26, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. C. R. No. 21 has been adopted by the House, providing for a Joint Committee on Insurance.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. C. R. No. 21, accompanying the foregoing message, was read, and on motion of Mr. Simon was concurred in by the Senate.

#### PROPOSITIONS AND MOTIONS.

Mr. Dimick introduced

#### SENATE JOINT RESOLUTION NO. 9.

WHEREAS, In view of the fact that the law passed by the Legislative Assembly of Oregon at the regular Session, January, 1885, and approved February 16, 1885, making instruction in Physiology and Hygiene obligatory in all of the Public Schools of the State; and,

WHEREAS, It appearing that such instruction is not generally applied in compliance with the intention of the Act passed by the Legislature for want of suitable text-books on the above important subject; therefore,

*Be it Resolved by the Senate of the State of Oregon, the House concurring:*

First—That the Superintendent of Public Instruction be and is hereby requested (in accordance with the School Law set forth in

Section 12) to issue special circulars to the several County Superintendents requesting them to select, by vote, primary text-books on the said topic of Physiology and Hygiene for use in the Public Schools of the State; *provided*, that the said circulars be issued by the Superintendent of Public Instruction during the present year, and at such time as he may deem most convenient and practicable and for the best interests of the Public Schools in the State.

Mr. Dimick moved that S. J. R. No. 9 be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Weatherford and Wager—2.

So S. J. R. No. 9 was declared adopted.

Mr. Hare introduced

#### SENATE JOINT RESOLUTION NO. 10.

*Be it Resolved by the Senate, the House concurring :*

That the Secretary of State be and is hereby authorized and directed to cause to be published six thousand five hundred copies of the amended School Laws, including the amendments made at the regular Session of January and February, 1887, for the use of the various School officers and teachers in the several counties of the State.

*Resolved, further*, That the Secretary of State shall cause this compilation of the School Laws to be arranged, annotated and compiled under the direction and supervision of the Superintendent of Public Instruction, who shall, when the same is printed and completed, distribute sufficient supplies of the same to the several County Superintendents in this State.

*Resolved, further*, That each member of this Legislative Assembly be furnished with a copy of the new compilation when completed.

Mr. Hare moved to adopt S. J. R. No. 10.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton,

Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—29.

Nays—Mr. Wager—1.

So S. J. R. No. 10 was declared adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 26, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted H. J. R. No. 1, in regard to public lands.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. J. R. No. 1, accompanying the foregoing message, was read, and on motion of Mr. Hare was referred to the Committee on Public Lands.

Mr. Cauthorn introduced S. J. M. No. 4, as follows:

#### SENATE JOINT MEMORIAL NO. 4.

*To the Senate and House of Representatives of the United States:*

Your memorialists, the Legislative Assembly of the State of Oregon, most respectfully represent—

WHEREAS, The Willamette River in Western Oregon is a large navigable stream and is of great importance to the city of Corvallis, situated upon its banks, and which derives great benefit from the commerce of the river; and,

WHEREAS, For a long time certain changes have been going on in the navigable channel of said river above the city of Corvallis; and,

WHEREAS, Said changes have reached such a stage that, if not arrested, great damage will result—first, by the navigable channel being changed about one mile east of the present one, leaving the city of Corvallis that distance from the commerce of the river, destroying its present shipping facilities; second, by the destruction of navigation altogether for a time on account of the river dividing and flowing through numerous small channels, none of them large enough to float the large steamers which now ply these waters; third, by the destruction of several square miles of fertile farming lands, through which the new and small channels will pass; fourth, by the destruction of a portion of the main wagon road leading from the city of Corvallis to the city of Albany; and

WHEREAS, If the navigable channel changes a mile or any distance from its present location great damage will result, not only to the city of Corvallis but to a large number of our people, who wish to and do ship grain and other agricultural products by water; and,

WHEREAS, If navigation is impeded or suspended at all, great injury will result to the whole people of this section of our State; and,

WHEREAS, The destruction of a large amount of farming lands worth many times the cost of the necessary river improvements will work a great hardship on its owners and on the community in general; and,

WHEREAS, The destruction of a portion of the wagon road leading from the city of Corvallis to the city of Albany will make a hardship on both cities and to the people along the road; and,

WHEREAS, The river bank can be secured or the channel changed to a safe position cheaper now than at any future time,

Therefore, in order to prevent the great damage which is liable to be done at any time of flood,

Your memorialists pray the amount estimated to be necessary by the United States Engineers in charge of this District for the improvement and securing of the river at this place be appropriated for this purpose.

Mr. Cauthorn moved that S. J. M. No. 4 be adopted.

On this question the roll was called, and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

So S. J. M. No. 4 was declared adopted.

Mr. Rinehart introduced

#### SENATE RESOLUTION NO. 19,

As follows:

*Resolved*, That the Clerk of the Senate be instructed to have prepared each morning for the use of each member of the Senate a Calendar, showing the status of each bill or measure to be acted on by the Senate, said work to be done by the State Printer, and to be laid on the desk of each member at the opening of each morning's Session.

Mr. Rinehart moved to adopt, and a vote being taken S. R. No. 19 was lost.

Mr. Shupe moved that the Pages be allowed one dollar's worth of stamps each and that the Doorkeeper be allowed five dollar's worth, the same as members.

Mr. Watts moved to amend, by allowing the Doorkeeper but one dollar's worth.

On motion of Mr. Hare, the whole matter was laid on the table.

By unanimous consent, Mr. Simon presented a communication from Columbia Assembly No. 3496, Knights of Labor, which was read, and on motion of Mr. Simon was ordered placed on file.

#### INTRODUCTION AND FIRST READING OF BILLS.

Mr. Barin introduced S. B. No. 132, being a bill for an Act to amend an Act, etc., etc., to establish a uniform course of public instruction in the Public Schools.

Mr. Barin moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Siglin and Steel—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Barin moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Siglin and Steel—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Barin was referred to the Committee on Education.

Mr. Lee introduced S. B. No. 133, being a bill for an Act to authorize the building of a bridge across the Willamette River between Marion and Yamhill Counties.

Mr. Hare moved that the rules be suspended and the bill be read



the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Hare introduced S. B. No. 134, being a bill for an Act to amend an Act entitled an Act to incorporate the City of Hillsboro.

Mr. Hare moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Barin—1.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Hare moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts—27.

Nays—None.

Absent—Messrs. Barin, Steel and Mr. President—3.

So the rules were suspended and the bill was read a second time by title.

On motion of Mr. Hare, the bill was ordered engrossed for a third reading to-morrow.

Mr. Cartwright introduced S. B. No. 135, being a bill for an Act to amend Section 8 of an Act to create the County of Crook, etc.

Mr. Cartwright moved that the rules be suspended and the bill

be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Cauthorn and Hare—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Cartwright moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts—28.

Nays—None.

Absent—Messrs. Cauthorn and Mr. President—2.

So the rules were suspended and the bill was read a second time by title.

On motion of Mr. Cartwright, the bill was considered engrossed for a third reading to-morrow.

Mr. Gray introduced S. B. No. 136, being a bill for an Act to amend Section 7 of an Act entitled an Act to provide pilotage on the Columbia and Willamette Rivers.

Mr. Gray moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts—28.

Nays—None.

Absent—Mr. Cauthorn and Mr. President—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Miller introduced S. B. No. 137, being a bill for an Act to incorporate the Town of Grant's Pass.

Mr. Miller moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts—28.

Nays—None.

Absent—Mr. Hare and Mr. President—2.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Miller moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts—28.

Nays—None.

Absent—Mr. Cauthorn and Mr. President—2.

So the rules were suspended and the bill was read a second time by title.

On motion of Mr. Miller, the bill was referred to the Committee on Corporations.

On motion of Mr Weatherford, the Senate adjourned.

E. G. HURSH;  
Chief Clerk.

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THURSDAY, JANUARY 27, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Siglin and Steel.

Prayer was offered by Rev. G. M. Irvin of Union.

The courtesies of the Senate were extended to Hon. T. A. Davis of Portland.

The Journal of yesterday was read and approved.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, January 26, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 15, beg leave to report the same back to the Senate as correctly engrossed.

GEO. A. STEEL,  
Chairman.

On motion of Mr. Simon, the special order of S. B. No. 15 was taken up for consideration. S. B. No. 15 as engrossed was read a third time.

Mr. Hare, by unanimous consent, asked that the first word "and" in line 9, page 6, of the engrossed copy of the bill be changed to "all," and the Clerk was instructed to make said change in said bill.

Now the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—Mr. Veatch—1.

Absent—None.

So the bill passed, and it was ordered that the title of the bill stand as the title of the Act.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 26, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that House Joint Resolution No. 2 of 1885 has been adopted, providing for a Constitutional Amendment to prohibit the manufacture or sale of intoxicating drinks.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. J. R. No. 2 of 1885, accompanying the foregoing message, was

read, and on motion of Mr. Watts was referred to the Committee on Education, with leave to report at any time.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 26, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that Senate Joint Resolution No. 12 of Session 1885, has been adopted by the House, providing for a Constitutional Amendment as to fixing the salary of Governor and all other State officers.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

S. J. R. No. 12 of Session 1885, accompanying the foregoing message, was read, and on motion of Mr. Weatherford was referred to the Committee on Judiciary, with leave to report at any time.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 26, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that House Joint Resolution No. 1 of Special Session of 1885, proposing a Constitutional Amendment changing time of holding general elections, has been adopted by the House.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. J. R. No. 1 of the Special Session of 1885, accompanying the foregoing message, was read, and on motion of Mr. Simon was referred to the Committee on Judiciary, with leave to report at any time.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 26, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that

he has signed Senate Joint Resolution No. 5, and has also signed Senate Joint Memorial No. 3.

And the same are herewith returned.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 27, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. R. No. 9, providing for Superintendent of Public Instruction to secure the publication of text-books on Hygiene and Physiology; also S. J. R. No. 10, providing for the printing of 6,500 copies of the School Laws.

And the same is herewith transmitted.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 27, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. J. M. No. 3.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

#### INTRODUCTION AND FIRST READING OF BILLS.

Mr. Stanley introduced S. B. No. 138, being a bill for an Act to prevent murder and the malicious destruction of property in the State of Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Barin introduced S. B. No. 139, being a bill for an Act to amend Section 18, Title III., Chapter XLI. of the Miscellaneous Laws of Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Wager introduced S. B. No. 140, being a bill for an Act to amend Section 48 of Title III. of Chapter VI. of the Miscellaneous Laws of Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Rinehart introduced S. B. No. 141, being a bill for an Act to provide for the completion of the Pine Creek wagon road and to appropriate money therefor.

The bill was read the first time and passed to a second reading without a question.

Mr. Irvine introduced S. B. No. 142, being a bill for an Act to prohibit the removal of books from the State Library.

The bill was read the first time and passed to a second reading without a question.

Mr. Allen, by request, introduced S. B. No. 143, being a bill for an Act to regulate foreign and domestic Insurance Companies and Associations.

Mr. Allen moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Miller, Siglin and Shupe—3.

So the rules were suspended, and the bill was read the first time by title and passed to a second reading without a question.

Mr. Wager introduced S. B. No. 144, being a bill for an Act to regulate orders and suits in the Circuit Courts of this State.

The bill was read the first time and passed to a second reading without a question.

Mr. Hare, by request, introduced S. B. No. 145, being a bill for an Act enabling women to hold office in certain cases.

The bill was read the first time and passed to a second reading without a question.

Mr. Weatherford introduced S. B. No. 146, being a bill for an Act to provide for the calling of a Convention to prepare a new Constitution for the State of Oregon.

Mr. Weatherford moved that the rules be suspended and the bill be read the first time by title, and upon the roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley,

Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Miller—1.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Dimick introduced S. B. No. 147, being a bill for an Act to encourage normal instruction in the literary institutions in the State of Oregon.

The bill was read the first time and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 27, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. M. No. 4, in regard to improvement of the Willamette River.

And the same is herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign S. J. R. No. 5, and shortly afterward stated that he had signed the same.

The President announced that he was about to sign S. J. M. No. 3, and shortly afterward stated that he had signed the same.

The President announced that he was about to sign H. J. M. No. 3, and shortly afterward stated that he had signed the same.

By unanimous consent, Mr. Wager introduced a petition from the Pendleton Board of Trade, which, on motion of Mr. Wager was referred to the Committee on Railroads.

Mr. Dimick introduced

#### SENATE JOINT RESOLUTION NO. 11,

As follows:

WHEREAS, By the passage of Senate Joint Resolution No. 3, at this Session, the 14th, a Special Committee of five was appointed to investigate the management of swamp lands, and among other points specified in said Resolution it was directed that said Committee should ascertain and report upon what "authority any officer of the State, since the 17th day of January, 1879, has issued any such receipt, certificate, patent, deed, or other evidence of title to a greater quantity of such lands than 320 acres to any one person, in



cases where no part of the purchase price was paid prior to January 17, 1879"; and,

WHEREAS, The records of the office of the State Board of Land Commissioners were imperfectly kept prior to that time; therefore, be it,

*Resolved by the Senate, the House concurring:*

That said Committee of five, appointed by the aforesaid Senate Joint Resolution No. 3, be hereby empowered to compel the attendance of witnesses, administer oaths and take testimony in regard to said records or any of the points mentioned in the aforesaid Senate Joint Resolution No. 3, and if they find it necessary, to employ an additional clerk to assist them.

On motion of Mr. Dimick, S. J. R. No. 11 was referred to the Committee on Public Lands, with leave to report at any time.

#### SECOND READING OF BILLS.

S. B. No. 91 coming up for a second reading, Mr. Barin moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Veatch—1.

So the rules were suspended and S. B. 91 was read a second time by title, and on motion of Mr. Barin was referred to the Committee on Judiciary.

S. B. No. 97 was read a second time, and on motion of Mr. Rinehart was referred to the Committee on Public Lands, with leave to report at any time.

S. B. No. 94 coming on for a second reading, Mr. Chandler moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton,

Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Hare, Irvine, Siglin, and Veatch—4.

So the rule were suspended and the bill was read a second time by title, and on motion of Mr. Chandler was referred to the Committee on Agriculture.

S. B. No. 101 was read a second time, and on motion of Mr. Steel was referred to the Committee on Judiciary.

S. B. No. 103 was read a second time, and on motion of Mr. Wager was referred to a Special Committee of the members of the Senate from east of the Cascade Mountains, with leave to report at any time.

S. B. No. 112 coming on for a second reading, Mr. Wager moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Barin—1.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager the bill was considered engrossed for a third reading to-morrow.

S. B. No. 115 coming on for a second reading, Mr. Simon moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read a second time by title and referred to the Committee on Judiciary.

S. B. No. 118 coming on for a second reading, Mr. Dimick moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Wager—1.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Dimick was referred to the Committee on Judiciary.

On motion of Mr. Veatch, the Senate adjourned.

### AFTERNOON SESSION.

The Senate met pursuant to adjournment, and was called to order by the President.

The roll was called and all the Senators were present.

Ex-Senator Slater was extended the courtesies of the Senate and invited to a seat within the bar of the Senate.

Mr. Watts, Chairman of the Committee on Education, submitted the following

### REPORT.

SENATE CHAMBER,  
SALEM, January 26, 1887. }

*Mr. President*—Your Committee on Education, to whom was referred S. B. No. 125, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, the bill was considered engrossed and passed to a third reading to-morrow.

Mr. Wager, Chairman of the Special Committee on S. B. No. 103, submitted the following

### REPORT:

We, the Special Committee to whom was referred Senate Bill No. 103, beg leave to report that we have considered the same and here-

with report it back to the Senate with the recommendation that it do pass.

J. P. WAGER,  
Chairman.

On motion of Mr. Wager, S. B. No. 103 was considered engrossed and passed to a third reading to-morrow.

#### SECOND READING OF BILLS.—CONTINUED.

S. B. No. 96 coming on for a second reading, Mr. Hare moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Hare was referred to the Special Joint Committee on Insurance.

S. B. No. 113 coming on for a second reading, Mr. Dimick moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Rinehart and Siglin—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Dimick was referred to the Committee on Judiciary.

S. B. No. 114 coming on for a second reading, Mr. Lee moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cau-

thorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Stanley—1.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Lee was referred to the Committee on Education.

On motion of Mr. Lee, the motion whereby S. B. No. 114 was referred to the Committee on Education was reconsidered, and Mr. Lee moved to amend by referring the bill to the Committee on Judiciary, which motion prevailed, and the bill was ordered, on motion of Mr. Lee, referred to the Committee on Judiciary.

S. B. No. 116 coming on for a second reading, Mr. Dimick moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Dimick was referred to the Committee on Education.

S. B. No. 117 was read a second time, and on motion of Mr. Gray was referred to the Committee on Corporations.

S. B. No. 120 coming on for a second reading, Mr. Miller moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Steel—1.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Miller was referred to the Committee on Judiciary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, January 27, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. B. No. 27, to fix the salary of Assessor in Multnomah county, also H. B. No. 34, to amend Sections 17, 18 and 29, Chapter LXIV. of the Miscellaneous Laws of Oregon, have passed the House this day.

And the same are herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 27, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

H. B. No. 34, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

S. B. No. 121 coming on for a second reading, Mr. Wager moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager was referred to the Committee on Education.

S. B. No. 122 coming on for a second reading, Mr. Gray moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Gray was referred to the Committee on Commerce.

S. B. No. 124 coming on for a second reading, Mr. Wager moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Barin—1.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager was referred to the Committee on Judiciary.

### THIRD READING OF BILLS.

Mr. Wager having obtained unanimous consent, moved that the rules be suspended and S. B. No. 103 be read a third time and put upon its passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Miller and Shupe—2.

So the rules were suspended and S. B. No. 103 was read a third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Miller—1.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Watts moved that the rules be suspended and S. B. No. 125 be taken up and be read a third time and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended by a unanimous vote of the Senate and S. B. No. 125 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 135 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Siglin, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Veatch—1.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

On motion of Mr. Cauthorn, it was ordered that the Sergeant-at-Arms furnish each Senator with another bill file.

Mr. Watts, Chairman of the Committee on Education, by unanimous consent, submitted the following



## REPORT.

SENATE CHAMBER,  
SALEM, January 26, 1887. }

*Mr. President*—Your Committee on Education, to whom was referred Senate Bills Nos. 21 and 65, beg leave to report that they have had the same under consideration, and would respectfully report that the Senators who introduced the said Senate Bills personally came before said Committee and mutually consented to the following substitute, which we beg leave to report back without recommendation.

J. W. WATTS,  
Chairman.

## SUBSTITUTE.

A bill for an Act to prohibit the sale of tobacco, firearms, ammunition, or knife, other than a common pocket knife, to minors under the age of eighteen years.

*Be it enacted by the Legislative Assembly of the State of Oregon:*

SECTION 1. It shall be unlawful to sell, barter, trade, give or in any manner furnish to any minor under the age of eighteen any cigarette, cigar or any tobacco in any form or any compound in which tobacco forms a component part, or any firearms, ammunition or knife, other than a common pocket knife, without the written consent or order of such minor's parent or guardian, and when such minor has no parent or guardian, then, in that case, consent may be given by the County Court sitting for the transaction of County business upon proper application in the County in which said minor may have his residence.

SEC. 2. In all trials held under this Act, the burden of proof shall be on the defendant to show that such minor to whom any of the articles hereinbefore enumerated was furnished, contrary to the provisions of this Act, was over the age of eighteen years.

SEC. 3. Any person violating the provisions of this Act shall, upon conviction, be fined in any sum not less than twenty dollars nor more than fifty dollars.

SEC. 4. Justices of the Peace shall have jurisdiction for all offenses arising under this Act.

Inasmuch as there is no law on this subject, this Act shall be in force from and after its approval by the Governor.

On motion of Mr. Watts, the foregoing report and the substitute

was adopted as S. B. No. 148, being a bill for an Act to prohibit the sale of tobacco, firearms, etc., to minors under the age of eighteen years.

Mr. Watts moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Siglin—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Watts moved that the rules be further suspended and S. B. No. 148 be read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Siglin—1.

So the rules were suspended and the bill was read a second time by title.

On motion of Mr. Hare, the bill was considered engrossed and ordered for a third reading to-morrow.

Mr. Steel, Chairman of the Committee on Engrossed Bills, made the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 86, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

By unanimous consent, Mr. Lee introduced

## SENATE JOINT RESOLUTION NO. 12,

As follows:

WHEREAS, The Oregon Pioneer Association of this State, composed of the early settlers of the Territory and State of Oregon, deriving its revenue solely from contributions from its members, after a corporate existence of about fifteen years, find their treasury depleted and its membership so diminished by death and removal as to be unable to print the proceedings of their Annual Reunion of 1886; and,

WHEREAS, Said proceedings contain much valuable historical matter concerning the early history of our State; therefore, be it,

*Resolved by the Senate, the House concurring:*

That the sum of five hundred dollars be appropriated from the General Fund for the use and benefit of said Oregon Pioneer Association in printing their proceedings of their Annual Reunion of 1886-7; *provided*, that no part thereof shall be used in the payment of salaries of its officers or for other purposes than that herein mentioned.

On motion of Mr. Lee, S. J. R. No. 12 was adopted by the following vote:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—Mr. Chandler—1.

Absent—Messrs. Miller, Siglin and Veatch—3.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 27, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that House Bill No. 222 has passed the House, providing for an appropriation to pay mileage and per diem of the present Session of the Legislative Assembly.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 222, accompanying the foregoing message, was read the first time.

Mr. Hare moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cauthorn, Miller, Rinehart and Veatch—4.

So the rules were suspended and the bill was read a second time by title.

Mr. Hare moved that the rules be further suspended and the bill be read a third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Miller, Rinehart, Veatch and Weatherford—4.

So the rules were suspended and the bill was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Williams, Watts, Mr. President—26.

Nays—Messrs. Veatch, Weatherford and Wager—3.

Absent—Mr. Siglin—1.

So the bill passed.

Mr. Shupe introduced

#### SENATE JOINT MEMORIAL NO. 5,

As follows:

*To the Honorable, the Congress of the United States:*

We, your memorialists, the Legislative Assembly of the State of Oregon, in Legislature assembled, would respectfully represent that,

WHEREAS, There is a large section of farming and timber lands lying along the Umpqua River above the present shipping port, viz.:

Scottsburg, and up said river to a point some ten miles above Elkton on said river, that with reasonable facilities for exporting products can be brought into active and profitable agricultural and lumbering interests; and,

WHEREAS, The said Umpqua River can be made navigable with a reasonable expenditure to a point at or near the said Elkton and some fifty miles from the mouth of said river; therefore, be it

*Resolved*, That our Senators and Representative in Congress be instructed to use their utmost endeavors to secure an appropriation from the General Government for the purpose of opening a channel where necessary, to insure safe navigation of the said Umpqua River to a point at or near the town of Elkton, in Douglas County, Oregon, said amount to be determined by proper surveys or as may have been determined by former surveys.

*Resolved*, That the Governor be instructed to forward copies of this Memorial to each of our Senators and to our Representative in Congress.

Mr. Shupe moved that S. J. M. No. 5 be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Cauthorn and Rinehart—2.

So S. J. M. No. 5 was declared adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 27, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. B. No. 22, incorporating the city of Albina, has passed the House.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Simon moved that the rules be suspended and H. B. No. 22, accompanying the foregoing message, be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine,

Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Cartwright—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Simon moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Cauthorn, Rinehart and Shupe—3.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Watts introduced a number of petitions on Temperance, which upon his motion were referred to the Committee on Education.

By unanimous consent, Mr. Watts, Chairman of the Committee on Education, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Education, to whom was referred H. J. R. No. 2 of 1885, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it be agreed to.

J. W. WATTS,  
Chairman.

Mr. Watts moved that the Senate agree to and adopt H. J. R. No. 2 of 1885.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts and Mr. President—25.

Nays—Messrs. Chandler, Gray, Hamilton and Stanley—4.

Absent—Mr. Rinehart—1.

So H. J. R. No. 2 of 1885 was agreed to and adopted.

On motion of Mr. Hare, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

FRIDAY, JANUARY 28, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, January 28, 1887. }

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators were found present.

Prayer was offered by Rev. J. W. Harris of Salem.

On motion of Mr. Veatch, the reading of the Journal of yesterday was dispensed with.

The President appointed Messrs. Steel and Chandler on the Joint Committee of Insurance, pursuant to H. C. R. No. 21.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 27, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. B. No. 31 has passed the House, to incorporate the town of Joseph, in Union county, Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 31, accompanying the foregoing message, coming on for the first reading, Mr. Hare moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Irvine, Lee, Looney, Miller, Siglin, Steel, Veatch, Williams, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cartwright, Hare, Hamilton, Rinehart, Shupe, Simon, Stanley and Weatherford—9.

So the rules were suspended and the bill was read a first time by title, and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 27, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. B. No. 3, creating the County of Wallowa in Oregon, has passed the House this day.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 3, accompanying the foregoing message, coming on for a first reading, Mr. Hare moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Cartwright, Rinehart, Simon, Wager—5.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 27, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that House Bill No. 46 has been passed by the House, providing for a bounty on certain wild animals.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 46, accompanying the foregoing message, coming on for a first reading, Mr. Weatherford moved that the rules be suspended and the bill be read the first time by title.



On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cartwright, Rinehart, Simon and Wager—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

#### REPORTS OF STANDING COMMITTEES.

Mr. Cartwright, Chairman of the Committee on Public Lands, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Public Lands, to whom was referred S. J. R. No. 11, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate without recommendation.

C. M. CARTWRIGHT,  
Chairman.

Mr Simon submitted the following

#### AMENDMENT.

Add to resolution:

*“Provided, however, that said Committee shall report its findings, conclusions and testimony taken to the present Session of the Legislature.”*

On motion of Mr. Simon, the amendment to S. J. R. No. 11 was adopted.

On motion of Mr. Hare, S. J. R. No. 11 as amended was adopted by the following vote of ayes and nays:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Rinehart, Shupe and Wager—3.

Mr. Simon, Chairman of the Judiciary Committee, submitted the following

### REPORT.

SENATE CHAMBER, }  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Joint Resolution No. 6, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Stanley, the report was adopted, and on motion of Mr. Stanley S. J. R. No. 6 was adopted by the following vote on roll call of ayes and nays:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Gray, Hare, Irvine, Lee, Miller, Siglin, Simon, Stanley, Steel, Veatch, Williams, Watts, Mr. President—21.

Nays—Messrs. Chandler, Emmett, Hamilton, Looney and Shupe—5.

Absent—Messrs. Dimick, Rinehart, Weatherford and Wager—4.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

### REPORT.

SENATE CHAMBER, }  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred S. B. No. 19, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do not pass.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, S. B. No. 19 was indefinitely postponed.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 41, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, S. B. No. 41 was ordered engrossed for a third reading to-morrow.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 85, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do not pass, as in the judgment of the Committee such Act would be unconstitutional if passed.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Chamberlin, S. B. No. 85 was ordered engrossed for a third reading to-morrow.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 28, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. M. No. 5, asking Congress to improve the Umpqua River to Elkton.

And the same is herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 66, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the following amendments, without recommendation, however, as to its passage:

## FIRST AMENDMENT.

Strike out the word “organic” in line (3) three, Section (6) six of printed bill.

## SECOND AMENDMENT.

Strike out the words “dental” and “oral anatomy” in line (4) four of Section (6) six, printed bill, and insert the following in lieu thereof: “The anatomy of the head and face dental pathology.”

## THIRD AMENDMENT.

Strike out the words “dental surgery” in line (4) four, Section 6 of printed bill and insert the following in lieu thereof: “Surgical and mechanical dentistry.”

## FOURTH AMENDMENT.

Strike out the word “ten” in line (9) nine of Section (9) nine, printed bill, and insert the following in lieu thereof: “Twenty-five.”

## FIFTH AMENDMENT.

Strike out the word “ten” in line (10) ten, Section (9) nine, printed bill, and insert “twenty-five” in lieu thereof.

## SIXTH AMENDMENT.

Strike out the word “he” in line (4) four, Section (10) ten, printed bill, and insert the words “he or she” in lieu thereof.

## SEVENTH AMENDMENT.

In line (5) five of Section (10) ten, printed bill, after the word "dollars," insert the words "or confined in the County Jail six months for each and every offense."

## EIGHTH AMENDMENT.

In line (1) one, Section (11) eleven, printed bill, before the word "this," insert the words "Inasmuch as there is now no law upon this subject and the public good requires it."

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, it was unanimously ordered that the bill be further amended by striking out on first page of the original bill, all that part between the title of the bill and the word "Be" in the enacting clause of said bill, and the Chief Clerk was ordered to strike the same from the said bill.

On motion of Mr. Simon, the foregoing amendments were adopted and S. B. No. 66 was ordered engrossed for a third reading to-morrow.

Mr. Shupe, Chairman of the Committee on Ways and Means, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Ways and Means, to whom was referred S. B. No. 89, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

JOHN H. SHUPE,  
Chairman.

On motion of Mr. Shupe, S. B. 89 was considered engrossed and ordered for a third reading to-morrow.

Mr. Allen, Chairman of the Committee on Claims, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Claims, to whom was referred

S. B. No. 79, beg leave to report that they have had the same under consideration, and would respectfully report that while they believe that the claim of Mr. Murphy for relief has merit, they do not feel justified in allowing it, in view of the precedent it may establish.

Your Committee, therefore, would respectfully report the matter back to the Senate without recommendation.

JOHN C. ALLEN,  
Chairman.

On motion of Mr. Allen, S. B. No. 79 was considered engrossed and ordered for a third reading to-morrow.

Mr. Bird, Chairman of the Committee on Corporations, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Corporations, to whom was referred House Bill No. 19, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

R. P. BIRD,  
Chairman.

On motion of Mr. Bird, the bill was ordered engrossed for a third reading to-morrow.

Mr. Bird, Chairman of the Committee on Corporations, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Corporations, to whom was referred Senate Bill No. 26, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate without recommendation.

R. P. BIRD,  
Chairman.

On motion of Mr. Cauthorn, the bill was referred to the Senators from Marion county, with leave to report at any time.

Mr. Bird, Chairman of the Committee on Corporations, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Corporations, to whom was referred House Bill No. 26, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

R. P. BIRD,  
Chairman.

On motion of Mr. Bird, the bill was considered engrossed for a third reading to-morrow.

Mr. Bird, Chairman of the Committee on Corporations, made the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Corporations, to whom was referred S. B. No. 75, beg leave to report that they had the same under consideration, and would respectfully report it back to the Senate without recommendation.

R. P. BIRD,  
Chairman.

On motion of Mr. Simon, the bill was referred to the Committee on Judiciary, with leave to report at any time.

On motion of Mr. Simon, the bill was referred to the Judiciary Committee, with leave to report at any time.

By unanimous consent, Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred S. B. No. 18, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do not pass.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Gray, S. B. No. 18 was laid on the table.

Mr. Cartwright, Chairman of the Committee on Public Lands, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, January 26, 1887. }

*Mr. President*—Your Committee on Public Lands, to whom was referred Memorial of Portland Board of Trade, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it be referred to the Committee on Judiciary.

C. M. CARTWRIGHT,  
Chairman.

On motion of Mr. Cartwright, the report was adopted and the Memorial referred to the Committee on Judiciary.

Mr. Cartwright, Chairman of the Committee on Public Lands, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, January 26, 1887. }

*Mr. President*—Your Committee on Public Lands, to whom was referred Senate Bill No. 62, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate without recommendation.

C. M. CARTWRIGHT,  
Chairman.

On motion of Mr. Wager, the bill was ordered engrossed for a third reading to-morrow.

Mr. Cartwright, Chairman of the Committee on Public Lands, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, January 26, 1887. }

*Mr. President*—Your Committee on Public Lands, to whom was referred Senate Bill No. 107, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass

C. M. CARTWRIGHT,  
Chairman.



On motion of Mr. Chamberlin, the bill was considered engrossed for a third reading to-morrow.

Mr. Dawson, Chairman of the Committee on Roads and Highways, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Roads and Highways, to whom was referred Senate Bill No. 32, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate without recommendation.

S. A. DAWSON,  
Chairman.

On motion of Mr. Chamberlin, the bill was considered engrossed for a third reading to-morrow.

Mr. Dawson, Chairman of the Committee on Roads and Highways, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Roads and Highways, to whom was referred Senate Bill No. 34, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following

#### AMENDMENTS

By adding sections, as follows:

SECTION 2. That the Sheriff shall make return to the County Court at the same time he makes return of other taxes of the amount collected, giving a statement of the amount of money collected, and from whom, and number of the Road District, and he shall be entitled to the same compensation as for other taxes, and return any receipts that may be paid to him on such delinquent road tax.

SEC. 3. The County Court shall cause the delinquent tax so collected paid over to the Supervisor of the District where it should have been paid or belonged.

S. A. DAWSON,  
Chairman.

On motion of Mr. Dawson, the amendments were adopted.

On motion of Mr. Hare, the bill as amended was referred to the Committee on Judiciary.

Mr. Dawson, Chairman of the Committee on Roads and Highways, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Road and Highways, to whom was referred S. B. No. 39, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

S. A. DAWSON,  
Chairman.

On motion of Mr. Dawson, the bill was considered engrossed for a third reading to-morrow.

Mr. Chamberlin, Chairman of the Committee on Counties, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred Senate bill No. 109, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following

#### AMENDMENT.

Amend Section 3 to read as follows:

SECTION 3. That all of Section 1 of said Act in conflict herewith is hereby repealed.

M. L. CHAMBERLIN,  
Chairman.

On motion of Mr. Chamberlin, the amendment was adopted.

On motion of Mr. Shupe, the bill was ordered engrossed for a third reading to-morrow.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 28, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has appointed Messrs. Munger, Pomeroy and Noyer as members on the part of the House of the Joint Committee on Insurance.

And the same is herewith transmitted to the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Barin, Chairman of the Committee on Commerce, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Commerce, to whom was referred Senate Bill No. 29, a bill to regulate the salmon fisheries in the State of Oregon, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it be referred to the Special Committee on Fishing Interests.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the bill was referred to the Joint Special Committee on Fishing.

Mr. Watts, Chairman of the Committee on Education, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Education, to whom was referred S. B. No. 80, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the following

## AMENDMENT.

In line six, printed bill, strike out "\$50" and insert instead "\$20.'  
And as so amended, recommend that the bill do pass.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, the amendment was adopted.

On motion of Mr. Watts, the bill as amended was ordered engrossed for a third reading to-morrow.

Mr. Watts, Chairman of the Committee on Education, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Education, to whom was referred Senate Bill No. 92, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the following amendments:

#### FIRST AMENDMENT.

In line 5, printed bill, strike out the last three words, "provided that the."

#### SECOND AMENDMENT.

In line 6, printed bill, strike out the whole line, "minimum annual salary of any County Superintendent in this State shall not be less than two."

#### THIRD AMENDMENT.

In line 7, printed bill, strike out the first three words and the fifth word, "hundred dollars and," "further."

#### FOURTH AMENDMENT.

In line 8, printed bill, strike out the last seven words, "over and above the said minimum salary."

#### FIFTH AMENDMENT.

In line 9, printed bill, strike out the first four words, "of two hundred dollars."

And the Section so amended shall read as follows:

SEC. 23. The annual salary of the Superintendent shall be such as the discretion of the County Court may deem the yearly services

of the Superintendent demand; *provided*, that the annual salaries (now being paid to the several County Superintendents by the several County Courts) shall be maintained; and, *provided, further*, that nothing in this Act shall prevent an increase of the present salaries (now being paid to the several County Superintendents by the several County Courts) whenever such additional compensation shall be deemed necessary.

And as so amended recommend that the bill do pass.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, the amendments were adopted.

On motion of Mr. Cauthorn, the bill as amended was ordered engrossed for a third reading to-morrow.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 95, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 90, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

REPORT.

SENATE CHAMBER,  
SALEM, January 27, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 63, 30, 67, 27, 35 and 58, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 50, 52 and 134, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 13 and 40, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

Mr. Looney, Chairman of the Committee on Agriculture, made the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Agriculture, to whom was referred S. B. No. 94, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do not pass.

J. B. LOONEY,  
Chairman.

On motion of Mr. Shupe, the bill was considered engrossed for a third reading to-morrow.

Mr. Barin asked that the Committee on Commerce be excused from attending the afternoon Session, which was granted.

On motion of Mr. Hare, the Senate adjourned until 7:30 o'clock this evening for the consideration of Corporation bills.

## EVENING SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators were found present except Messrs. Barin, Cartwright, Chandler, Chamberlin, Dimick, Stanley and Steel.

## THIRD READING OF BILLS.

S. B. No. 40 was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Coleman, Cartwright, Chamberlin, Dawson, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Simon, Stanley, Veatch, Williams, Wager, Mr. President—20.

Nays—Mr. Allen—1

Absent—Messrs. Barin, Chandler, Cauthorn, Dimick, Hare, Shupe, Steel, Weatherford and Watts—9.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 90 was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Coleman, Cartwright, Chamberlin, Dawson, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Barin, Chandler, Cauthorn, Dimick, Shupe, Steel and Watts—8.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 134 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Coleman, Cartwright, Chamberlin, Dawson, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Simon, Stanley, Williams, Weatherford, Wager, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Barin, Chandler, Cauthorn, Dimick, Shupe, Steel, Veatch and Watts—9.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 112 was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Simon, Stanley, Williams, Weatherford, Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Bird, Chandler, Shupe, Steel, Veatch, Wager and Watts—8.

So the bill passed, and the title of the bill stand as the title of the Act.

H. B. No. 19 being read the third time, and the question being asked, "Shall the bill pass?" the roll was called and vote was:

Those voting aye were:

Messrs. Allen, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Simon, Stanley, Williams, Weatherford, Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Bird, Chandler, Cauthorn, Hare, Shupe, Steel, Veatch, Wager and Watts—10.

So the bill passed.

H. B. No. 22 was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Coleman, Cartwright, Chamberlin, Dawson, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Simon, Stanley, Veatch, Williams, Weatherford, Watts, Mr. President—20.

Nays—None.

Absent—Messrs. Allen, Barin, Bird, Chandler, Cauthorn, Dimick, Hare, Shupe, Steel and Wager—10.

So the bill passed.

H. B. No. 26 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Williams, Weatherford, Wager, Watts—23.

Nays—None.

Absent—Messrs. Allen, Coleman, Cartwright, Chandler, Steel, Veatch and Mr. President—7.

So the bill passed.



Mr. Cauthorn presented several petitions from citizens of Philomath, praying to be disincorporated, also certain remonstrances; all of which, on motion of Mr. Cauthorn, were referred to the Committee on Corporations.

Mr. Cauthorn moved that the rules be suspended and H. B. No. 31 be read a second time by title now.

On this question the roll was called, and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Chandler—2.

So the rules were suspended and the bill was read a second time by title.

Mr. Cauthorn moved that the rules be further suspended and the bill be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Chandler, Steel and Wager—4.

So the rules were suspended and the bill was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Simon, Stanley, Veatch, Williams, Weatherford, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Chandler, Cauthorn, Siglin, Shupe, Steel and Wager—9.

So the bill passed.

Mr. Simon moved that when the Senate adjourn it adjourn till Monday next at 2 o'clock P. M., which motion prevailed.

Mr. Hare was excused till Monday next at 7:30 o'clock P. M.

On motion of Mr. Hare, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

MONDAY, JANUARY 31, 1887.

AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, January 31, 1887. }

The Senate met pursuant to adjournment, and was called to order by the President.

The roll was called and all Senators reported present except Messrs. Chandler, Cauthorn, Emmett, Gray, Rinehart and Hare, absent on leave.

Prayer was offered by Rev. J. C. Chambers of Salem.

The Journal of Friday was read and approved.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 28, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. J. R. No. 8.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 28, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. R. No. 6, abolishing Advisory Board of Pardons.

Also, S. J. R. No. 11, in regard to Committee on Public Lands.

Also, S. J. R. No. 12, providing for an appropriation of money to print proceedings of Annual Reunions of Pioneer Association.

And the same is herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 28, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 33, a bill for an Act to amend an Act to create Klamath County.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 33, accompanying the foregoing message, being a bill for an Act to amend Sections 9 and 10 of an Act entitled an Act to create the County of Klamath and fix the salaries of its officers, was read the first time and passed to a second reading without a question.

Mr. Cartwright moved that the rules be suspended and H. B. No. 33 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton and Rinehart—7.

So the rules were suspended and the bill was read a second time by title.

Mr. Cartwright moved that the rules be further suspended and H. B. No. 33 be read the third time now and put upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton and Rinehart—7.

So the rules were suspended and H. B. No. 33 was read a third time.

The question now being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton, Rinehart and Siglin—8.

So the bill passed.

The President announced that he was about to sign H. J. R. No. 8, and shortly afterward stated that he had signed the same.

Mr. Watts introduced

#### SENATE RESOLUTION NO. 20,

As follows:

*Resolved*, That the Judiciary Committee of the Senate be and are hereby instructed and directed to inquire into and report to the Senate, by bill or otherwise, whether or not under Section 2 of Article XI. of the Constitution of the State corporations for municipal purposes may be formed under a general law enacted for that purpose.

J. W. WATTS.

On motion of Mr. Watts, Senate Resolution No. 20 was referred to the Judiciary Committee with instructions that they confer with the Judges of the Supreme Court of this State and report to the Senate by bill or otherwise at as early date as possible on the subject matter of said Resolution.

Mr. Barin introduced

#### SENATE JOINT RESOLUTION NO. 13,

As follows:

WHEREAS, The provisions of "An Act to provide for the construction of the Willamette Valley and Coast Railroad, approved October 24, 1874, purported to grant to the Willamette Valley and Coast Railroad Company all the tide and marsh lands situated in the County of Benton, in this State; and,

WHEREAS, By the provisions of said Act, said grant was upon the condition, and said company was required to complete a certain portion of its proposed railway and notify the Governor thereof, who

was thereupon authorized to cause said lands to be surveyed, designated and set apart for the benefit of said company; and,

WHEREAS, By "An Act of the Legislative Assembly of the State of Oregon, approved October 14, 1878, the said Act of October 14, 1874, was amended so as to provide that the time for the completion of said Willamette Valley and Coast Railroad from the city of Corvallis, in Benton County, in this State, to tide water on Yaquina Bay, should be extended for six years from the approval by the Governor of said Amendatory Act, and that if said company should fail to so complete said road, said Act should become void, and the property and rights granted to said company should become forfeited to the State; and,

WHEREAS, The provisions of said Amendatory Act were duly accepted by said Company; and,

WHEREAS, There is reason to believe that said Willamette Valley and Coast Railroad did not complete said proposed railroad from said town of Corvallis to tide water on said Yaquina Bay, within the time prescribed in said Act; and,

WHEREAS, There are grave doubts as to the rights of the Legislature to grant the fee of the shore in front of lands belonging to private owners abutting upon navigable waters of this State; now, therefore,

*Resolved by the Senate, the House concurring:*

That the Governor is hereby requested not to cause any of the lands mentioned in said Act to be surveyed, designated or set apart for the benefit of said company, until such time as it shall be determined that the provisions of said Acts have been fully complied with.

*Resolved,* That a Committee of two on the part of the Senate, and three on the part of the House, be appointed to investigate all the matters herein referred to, and that said Committee have power to send for persons and papers, compel the attendance of witnesses and employ a clerk to assist in their investigation, and that said Committee report to the Legislature their conclusions, findings and the testimony taken as early as practicable.

On motion of Mr. Barin, S. J. R. No. 13 was ordered printed and made the special order for to-morrow morning at 10 o'clock.

#### INTRODUCTION AND FIRST READING OF BILLS.

Mr. Cartwright introduced S. B. No. 149, being a bill for an Act to amend an Act and repeal an Act entitled an Act to incorporate Dalles City.

Mr. Cartwright moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—20.

Nays—None.

Absent—Messrs. Allen, Barin, Chandler, Cauthorn, Emmett, Gray, Hare, Hamilton, Miller and Rinehart—10.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Cartwright moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton and Rinehart—7.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Siglin, it was ordered that the bill be considered engrossed and that the rules be still further suspended and the bill be read a third time now and put upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Barin, Chandler, Cauthorn, Emmett, Hare, Hamilton and Rinehart—8.

So the rules were suspended and the bill was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Barin, Chandler, Cauthorn, Emmett, Hare, Hamilton and Rinehart—8.

So the bill passed, and the title of the bill stands as the title of the Act.

Mr. Coleman, by request, introduced S. B. No. 150, being a bill for an Act to allow the legal voters of Lane County to vote on the question of swine running at large in said County.

The bill was read the first time and passed to a second reading without a question.

Mr. Coleman moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—20.

Nays—None.

Absent—Messrs. Allen, Barin, Chandler, Cauthorn, Emmett, Hare, Hamilton, Rinehart, Stanley and Steel—10.

So the rules were suspended and the bill was read a second time by title.

Mr. Coleman moved that the bill be considered engrossed and that the rules be further suspended and the bill be read a third time now and put upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Dawson, Emmett, Hare, Hamilton, Rinehart and Steel—9.

So the rules were suspended and the bill was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dimick, Gray, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—20.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Dawson, Emmett, Hare, Hamilton, Irvine, Rinehart and Steel—10.

So the bill passed, and the title of the bill stands as the title of the Act.

Mr. Shupe introduced S. B. No. 151, being a bill for an Act to

amend an Act entitled an Act to incorporate the town of Oakland.

Mr. Shupe moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dimick, Gray, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Dawson, Emmett, Hare, Hamilton, Miller and Rinehart—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Shupe moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton and Rinehart—7.

So the rules were suspended and the bill was read a second time by title.

Mr. Shupe moved that the bill be considered engrossed and that the rules be further suspended and the bill be read a third time now and put upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Dawson, Emmett, Hare, Hamilton and Rinehart—8.

So the rules were suspended and the bill was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon,



Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton and Rinehart—7.

So the bill passed, and the title of the bill stands as the title of the Act.

Mr. Stanley introduced S. B. No. 152, being a bill for Act to amend an Act entitled an Act to incorporate the town of Jacksonville.

The bill was read the first time and passed to a second reading without a question.

Mr. Stanley moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Coleman, Chandler, Cauthorn, Emmett, Hare, Hamilton and Rinehart—8.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Stanley S. B. No. 152 was considered engrossed and passed to a third reading.

On motion of Mr. Chamberlin, it was ordered that when the Senate adjourn it adjourn to meet at 7:30 o'clock this evening.

Mr. Simon introduced S. B. No. 153, being a bill for an Act to amend an Act to incorporate the city of Portland, approved October 24, 1882.

The bill was read the first time, and passed to a second reading without a question.

Mr. Simon moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—20.

Nays—None.

Absent—Messrs. Allen, Coleman, Cartwright, Chandler, Cauthorn, Emmett, Hare, Hamilton, Rinehart and Veatch—10.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Simon considered engrossed.

Mr. Simon moved that the rules be further suspended and the bill be read a third time now and put upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton and Rinehart—7.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton and Rinehart—7.

So the bill passed, and the title of the bill stands as the title of the Act.

Mr. Shupe introduced S. B. No. 154, being a bill for an Act to amend Section 4, Chapter XXVI. of the Miscellaneous Laws of Oregon.

Mr. Shupe moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Coleman, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—20.

Nays—None.

Absent—Messrs. Allen, Barin, Cartwright, Chandler, Cauthorn, Emmett, Hare, Hamilton, Miller and Rinehart—10.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Shupe moved that the rules be still further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Barin, Chandler, Cauthorn, Emmett, Hare, Hamilton, Miller and Rinehart—9.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Shupe was referred to the Committee on Judiciary, with leave to report at any time.

Mr. Siglin introduced S. B. No. 155, being a bill for an Act to amend an Act entitled "An Act to authorize the construction of a dyke across Isthmus Slough in Section 11, Town. 27 S., R. 12 W., in Coos County, Oregon.

Mr. Wager moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Gray, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Dimick, Emmett, Hare, Hamilton, Miller and Rinehart—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Siglin moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton, Miller, Rinehart and Stanley—9.

So the bill was read a second time by title.

Mr. Siglin moved that the rules be still further suspended and the bill be considered engrossed and read a third time now, and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton, Miller and Rinehart—8.

So the rules were suspended and the bill was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton, Miller and Rinehart—8.

So the bill passed, and the title of the bill stands as the title of the Act.

Mr. Barin, by request of Mr. Hare, introduced S. B. No. 156, being a bill for an act to provide for the times of holding the terms of Circuit Court in the Fifth Judicial District.

Mr. Barin moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton, Miller and Rinehart—8.

So the rules were suspended, and the bill was read the first time by title and passed to a second reading without a question.

Mr. Barin moved that the rules be still further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton, Miller and Rinehart—22.

So the rules were suspended and the bill was read a second time by title.

Mr. Barin moved that the rules be still further suspended and the bill be considered engrossed and be read a third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton, Miller and Rinehart—8.

So the rules were suspended and the bill was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton, Miller and Rinehart—8.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Cartwright introduced S. B. No. 157, being a bill for an Act to repeal an Act to provide for the support and government of the University of Oregon, approved October 21, 1876.

Mr. Cartwright moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Barin, Chandler, Cauthorn, Emmett, Hare, Hamilton, Miller and Rinehart—9.

So the rules were suspended and the bill was read a first time by title, and passed to a second reading without a question.

Mr. Coleman moved to reconsider the motion whereby it was ordered that when the Senate adjourn it adjourn to meet at 7:30 o'clock this evening, which motion prevailed, and the question recurring on the adoption of the original motion the same was lost.

On motion of Mr. Siglin, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

TUESDAY, FEBRUARY 1, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, February 1, 1887. }

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators reported present except Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton, Rinehart, Stanley and Steel—8.

There being no preacher present, the Senate proceeded to business without prayer.

The Journal of yesterday was read and approved.

The courtesies of the Senate were extended to Hon. M. C. George.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 28, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. J. R. No. 2 of 1885.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 28, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B. No. 222, appropriating money to pay the per diem and mileage of the Fourteenth Biennial Session of the Legislative Assembly of the State of Oregon, and other expenses of said Session.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 28, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed Senate Bill No. 134.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, January 28, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. B. No. 40 has passed the House, providing for creating the County of Lee, in the state of Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 40, accompanying the foregoing message, coming on for the first reading, Mr. Watts moved that the rules be suspended and the bill be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Shupe, Simon, Steel, Veatch, Williams, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton, Rinehart, Siglin, Stanley, Weatherford—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Watts moved that the rules be still further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Chamberlin, Hare, Irvine, Lee, Miller, Siglin, Shupe, Steel, Watts—10.

Nays—Messrs. Barin, Coleman, Cartwright, Dawson, Dimick, Gray, Looney, Simon, Veatch, Williams, Wager and Mr. President—12.

Absent.—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton, Rinehart, Stanley and Weatherford—8.

So the motion to suspend the rules for a second reading was declared lost and the bill was passed to a second reading to-morrow.

At the request of Mr. Barin, S. J. R. No. 13, as the special order, was taken up for consideration.

Mr. Barin moved the adoption of S. J. R. No. 13.

Mr. Miller moved to lay S. J. R. No. 13 on the table, which motion prevailed.

So said Resolution was ordered laid on the table.

The President announced that he was about to sign H. J. R. No. 2 of 1885 and shortly after stated that he had signed the same.

The President announced that he was about to sign H. B. No. 222, and shortly afterward stated that he had signed the same.

The Committee, consisting of the Senators of Marion County, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 1, 1887. }

*Mr. President*—Your Special Committee, to whom was referred Senate Bill No. 26, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

J. B. DIMICK,  
J. B. LOONEY,  
M. L. CHAMBERLIN.

Mr. Chamberlin moved that the rules be suspended and S. B. No. 26 be read a third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—21.

Nays—None.

Absent.—Messrs. Allen, Cartwright, Chandler, Cauthorn, Emmett, Hamilton, Rinehart, Siglin and Stanley —9.

So the rules were suspended and S. B. No. 26 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon,



Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—Mr. Cartwright—1.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton and Rinehart—6.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

#### INTRODUCTION AND FIRST READING OF SENATE BILLS.— CONTINUED.

Mr. Coleman introduced S. B. No. 158, being a bill for an Act to authorize the construction of a dyke across Duncan Slough in Section 21, Township 18 S., Range W. of the Willamette Meridian, Lane County, State of Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Coleman moved that the rules be suspended and S. B. No. 158 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton, Miller, Rinehart and Veatch—9.

So the rules were suspended and the bill was read a second time by title.

Mr. Siglin moved that the bill be considered engrossed and that the rules be still further suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton, Miller, Rinehart and Weatherford—8.

So the rules were suspended and the bill was read the third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton, Miller, Rinehart, Weatherford, Watts—9.

So the bill passed, and the title of the bill stands as the title of the Act.

Mr. Hare introduced S. B. 159, being a bill for an Act to provide for check-lists of voter and presenting the manner of regularity, and conducting elections.

Mr. Hare moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton, and Rinehart—6.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Simon, by request, of the Common Council of the city of Portland, introduced Senate Bill No. 160, being a bill for an Act to incorporate the city of Portland.

Mr. Simon moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton and Rinehart—6.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Simon moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton and Rinehart—6.

So the rules were suspended and the bill was read a second time by title.

On motion of Mr. Simon, S. B. No. 160 was referred to a Committee consisting of the Senators from Multnomah County.

#### REPORT OF STANDING COMMITTEES.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 61, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that the bill hereto attached be adopted as a substitute for S. B. No. 61 :

#### SENATE BILL NO. 161,

Introduced by the Committee on Judiciary.

#### A BILL

For an Act for the Recovery of Real and Personal Property Escheated to the State and for the Disposition of Estates Where the Heirs are Unknown or Disabled from Claiming the Same, and to Repeal Chapter XVI. of the Miscellaneous Laws of Oregon as Compiled by Matthew P. Deady and La Fayette Lane.

*Be it enacted by the Legislative Assembly of the State of Oregon :*

SECTION 1. When any person shall die without heirs, leaving any real or personal property, in this State, the same shall escheat to, and become the property of the State.

SEC. 2. The State may maintain any action, suit or proceeding,

necessary to recover the possession of any such property, or for the enforcement or protection of its rights thereto or on account thereof in like manner and with like effect as any natural person. Such action, suit or proceeding shall be prosecuted by the proper District Attorney by the leave and under the direction of the Governor, and not otherwise.

SEC. 3. When the Governor is informed or has reason to believe that any real or personal property has escheated to this State, he shall direct the District Attorney of the Judicial District in which such property may be, to file an information in behalf of the State of Oregon, and in the name of the State, in the Circuit Court of the County in which such estate, or any part thereof is situated, setting forth a description of the estate, the name of the person last seized; the name of the occupant or the person in possession and claiming such estate, if known, and the facts and circumstances in consequence of which the estate is claimed to have been escheated with an allegation by reason thereof that the State of Oregon has right by law to such estate. Upon such information a summons must issue to such person requiring heirs to appear and answer the information within the time allowed by law in civil actions, and the Court must make an order setting forth briefly the contents of the information and requiring all persons interested in the estate to appear and show cause, if any they have, within such time as the Court making such order may fix, why the same should not vest in this State, which order must be published for at least six consecutive weeks from the date thereof, in a newspaper published in the County, if one be published therein, and in case no newspaper is published in the County then in such newspaper as the Court by order may direct.

SEC. 4. The Court, upon the information being filed with and upon the application of the District Attorney either before or after answer, upon notice to the party claiming such estate, if known, may, upon sufficient cause therefor being shown, appoint a Receiver to take charge of such estate and receive the rents and profits of the same until the title to such estate is finally settled.

SEC. 5. All persons named in the information may appear and answer, and may traverse or deny the facts stated in the information, the title of the State to lands and tenements therein mentioned, at any time before the time for answering expires; and any other person claiming an interest in such estate may appear and be made a defendant by motion for that purpose in open Court, within the time allowed for answering; and if no person appears and answers within the time then judgment must be rendered that the State be seized of the lands and tenements in such information claimed. But if any person appears and denies the title set up by the State, or traverse any material fact set forth in the information, the issue of

fact must be tried as issues of facts are tried in civil actions. If, after the issues are tried, it appears from the facts found or admitted that the State has good title to the estate in the information mentioned or any part thereof, judgment must be rendered that the State be seized thereof and recover costs of suit against the defendant.

In any judgment rendered or that has heretofore been rendered by any Court of competent jurisdiction, escheating real property to the State, on motion of the District Attorney the Court shall make an order that said real property be sold by the Sheriff of the proper County where the same is situated at public sale and upon such terms, whether for cash or credit or both, as shall be deemed for the best interest of the State. And if such Court shall deem it most advantageous for the State, it may direct that said lands be surveyed into lots and sold in specific portions upon such terms as to payments therefor as may be deemed best for the State.

After giving such notice of the time and place of sale as may be prescribed by the Court in said order, the Sheriff shall, within ten days after such sale, make a report thereof to the Court, and upon hearing said report the Court may examine the same and witnesses in relation thereto; and if the proceedings of such sale are unfair, or the sum or sums bid are disproportionate to the value of the portion sold, and if it appear that a greater sum can be obtained for said property, or any portion thereof, exceeding such bid at least ten per cent., exclusive of the expense of a new sale, the Court may vacate the sale and direct another sale to be had, and the new sale shall be conducted in all respects as if no previous sale had taken place. But if it appears to the Court that the sale was legally made and fairly conducted, and that the sum bid is not disproportionate to the value of the property sold, and that a greater sum than ten per cent., exclusive of the expense of a new sale, cannot be obtained, the court must make an order confirming the sale and directing the Sheriff, in the name of the State, to execute to purchasee or purchasers a conveyance of said property sold; and said conveyance shall vest in the purchasee or purchasers all the right and title of the State therein; and also directing that the purchaser or purchasers shall execute and deliver to said Sheriff his or their note or notes, payable to the Board of Commissioners for the Sale of School and University Lands and for the Investment of Funds Arising Therefrom, for the deferred payments, with a mortgage deed to said Board upon the property conveyed, to secure said deferred payments. And the Sheriff shall, out of the proceeds of such sale, pay the cost of said proceedings incurred on behalf of the State, including the expense of making such sale, and the remainder, together with said notes and mortgages, he shall deliver to the Dis-

trict Attorney, taking his receipt therefor, which said receipt shall be returned by him to the Court.

SEC. 6. The Court before whom such proceedings shall be conducted shall allow to the District Attorney a reasonable attorney's fee for conducting such proceeding on behalf of the State, not exceeding ten per cent. on the amount of such sales, and the residue shall be paid and turned over by such District Attorney to the State Treasury of this State.

SEC. 7. Within ten years after judgment in any proceeding had under this title a person not a party or privy to such proceeding may file a petition in the Circuit Court of the County where such information was filed, showing his claim or right to the property or the proceeds thereof. A copy of such petition must be served upon the District Attorney at least twenty days before the hearing of the petition, who must answer the same; and the Court thereupon must try the issue, as issues are tried in civil actions, and if it be determined that such person is entitled to the property or the proceeds thereof, it must order the property, if it has not been sold, to be delivered to him, or if it has been sold and the proceeds paid into the State Treasury, then it must order the Secretary of State to draw his warrant on the Treasury for the payment of the same, but without interest or cost to the State; a copy of which order under the seal of the Court shall be a sufficient voucher for drawing such warrant. All persons who fail to appear and file their petition within the time limited by law are forever barred, saving, however, to infants, married women, and persons of unsound mind, or persons beyond the limits of the United States, the right to appear and file their petitions at any time within the time limited, or one year after their respective disabilities cease.

SEC. 8. In all cases of personal estate, the Court shall direct by order that the same be sold by the Sheriff as upon execution, and the proceeds be applied to the payment of the costs incurred by the State and the costs and charges of making such sale, and the residue to the District Attorney, who shall deduct therefrom his attorney fees, to be fixed by the Court, and the balance he shall turn into the State Treasury of this State.

SEC. 9. When the Governor is informed or has reason to believe that any bank, banker or banking institution in this State now has, or holds on deposit or otherwise, any fund, funds or other property of any kind or nature which has escheated to this State, he shall direct the District Attorney in the District where such bank or banking institution is located to file in the Circuit Court an information or bill of discovery, with proper interrogatories to be answered by the owner, agent or manager of such bank or banking institution, and upon the filing of such information or bill, the

Court shall order and direct, at a time to be designated in said bill, that said owner, agent or manager of such bank or banking institution shall, under oath, file an answer to said information and interrogatories, and shall specifically answer each and every interrogatory contained in such information or bill. If it appear to the Court from such answer, that said bank, banker or banking institution, has any property in its possession which has or may escheat to the State, it shall direct the said bank, banker or banking institution forthwith to bring the same into such Court, and the Court shall proceed to dispose of said property as provided elsewhere in this Act.

SEC. 10. Whenever it shall appear to the Governor necessary to employ additional counsel to aid the District Attorney in the prosecution of any action, suit or proceeding authorized by the provisions of this Act said counsel shall be paid such sum or sums for his, her or their services as the Court before whom such action, suit or proceeding is had shall deem reasonable, which compensation shall be paid out of the proceeds arising from such proceeding. And the Governor is hereby authorized and empowered to employ additional counsel in all cases in which he deems it for the best interest of the State.

SEC. 11. That Chapter sixteen (XVI.) of the Miscellaneous Laws of this State, compiled by Matthew P. Deady and La Fayette Lane, be and the same is hereby repealed.

Mr. Simon moved that the report be adopted and the substitute for S. B. No. 61 be introduced as S. B. No. 161, which motion prevailed.

Mr. Simon moved that the rules be suspended and S. B. No. 161 be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Coleman, Chandler, Cauthorn, Emmett, Hamilton, Miller and Rinehart—8.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

By unanimous consent, Mr. Bird, Chairman of the Committee on Corporations, submitted the following



## REPORT.

SENATE CHAMBER, • }  
SALEM, February 1, 1887. }

*Mr. President*—Your Committee on Corporations, to whom was referred S. B. No. 117, beg leave to report that they had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

R. P. BIRD,  
Chairman.

Mr. Gray moved that S. B. No. 17 be considered engrossed and that the rules be suspended and the bill be read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton, Rinehart and Veatch—8.

So the rules were suspended and the bill was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Gray, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—20.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Dimick, Emmett, Hare, Hamilton, Rinehart, Siglin and Veatch—10.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

## REPORT.

SENATE CHAMBER, • }  
SALEM, February 1, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 41, 92, 109, 85 and 1, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.



## REPORT.

SENATE CHAMBER,  
SALEM, January 31, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 66 and 62, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, January 31, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 80, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

Mr. Hare, by unanimous consent, called up S. B. No. 95 for further consideration.

Mr. Hare moved that the rules be suspended and S. B. No. 95 be read a third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Shupe, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton, Rinehart, Siglin, Simon and Weatherford—9.

So the rules were declared suspended and the bill was read the third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Siglin, Shupe, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton, Miller, Rinehart, Simon and Watts—9.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Cartwright, by unanimous consent, introduced S. R. No. 21 as follows:

SENATE RESOLUTION NO. 21,

WHEREAS, Senate Joint Memorial number 6 of the Special Session of the Legislative Assembly of this State for the year 1885 was mutilated, and an attempt was made to baffle the will of the Legislative Assembly of this State; and,

WHEREAS, Petitions have been presented to various members of this Legislative Assembly from many citizens of this State demanding such investigation and asking the guilty party or parties be punished that committed said act; therefore, be it

*Resolved*, That the Committee on Public Lands of the Senate be hereby directed to inquire into said matters and that they be empowered to send for persons and papers, compel the attendance of witnesses, to administer oaths and take testimony, and report their findings together with the evidence thereon to this Senate.

On motion of Mr. Cartwright, the resolution was adopted and with accompanying petitions was referred to the Committee on Public Lands.

On motion of Mr. Dawson, the Senate adjourned.

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AFTERNOON SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Chandler, Cauthorn, Emmett, Hamilton, Rinehart, Stanley and Wager—8.

SECOND READING OF BILLS.

S. B. No. 123 coming up for a second reading, Mr. Barin moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Chamberlin, Emmett, Hamilton, Rinehart, Siglin and Williams—9.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Barin was referred to the Special Committee on Insurance.

S. B. No. 126 coming on for a second reading, Mr. Weatherford moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton, Rinehart, Siglin, Williams and Wager—9.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Weatherford was referred to the Committee on Agriculture.

S. B. No. 127 was read a second time, and on motion of Mr. Simon was referred to the Committee on Judiciary.

S. B. No. 128 was read the second time, and on motion of Mr. Simon was referred to the Committee on Judiciary.

S. B. No. 129 was read a second time, and on motion of Mr. Wager was referred, together with amendments of Mr. Wager, to the Committee on Judiciary.

S. B. No. 130 coming on for a second reading, Mr. Miller moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton and Rinehart—6.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Miller was referred to the Special Joint Committee on Immigration.

S. B. No. 131 was read a second time, and on motion of Mr. Coleman was referred to the Committee on Ways and Means.

S. B. No. 133 was read a second time, and on motion of Mr. Hare was referred to the Committee on Judiciary.

S. B. No. 136 was read a second time, and on motion of Mr. Gray was referred to the Committee on Judiciary.

S. B. No. 138 was read a second time, and on motion of Mr. Stanley was referred to the Committee on Judiciary.

S. B. No. 139 was read a second time, and on motion of Mr. Barin was referred to the Committee on Judiciary.

S. B. No. 140 was read a second time, and on motion of Mr. Wager was referred to the Committee on Judiciary.

S. B. No. 141 was read a second time, and on motion of Mr. Miller was referred to the Committee on Ways and Means.

S. B. No. 142 was read a second time, and on motion of Mr. Irvine was considered engrossed.

Mr. Irvine moved that the rules be suspended and the bill be read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton and Rinehart—6.

So the rules were suspended and the bill was read the third time.

Mr. Simon moved to reconsider the motion whereby the rules were suspended and S. B. No. 142 was read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton and Rinehart—6.

So the motion was reconsidered, and the vote now recurring on the suspension of the rules for the third reading of S. B. No. 142, the roll was called and the vote was:

Ayes—None.

Those voting nay were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Williams, Wager, Watts, Mr. President—21.

Absent—Messrs. Allen, Chandler, Cauthorn, Dawson, Emmett, Hamilton, Rinehart, Stanley and Weatherford—9.

So the motion to suspend the rules was lost, and on motion of Mr. Irvine S. B. No. 142 was referred to the Committee on Judiciary.

S. B. No. 143 coming on for a second reading, Mr. Simon moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton, Rinehart and Siglin—7.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Simon was referred to the Special Joint Committee on Insurance.

S. B. No. 144 was read a second time, and on motion of Mr. Wager was referred to the Committee on Judiciary.

S. B. No. 145 was read a second time, and on motion of Mr. Hare was referred to the Committee on Judiciary.

S. B. No. 146 coming on for a second reading, Mr. Weatherford moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton, Rinehart and Siglin—7.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Weatherford was, together with an amendment of Mr. Wager's, referred to the Committee on Judiciary.

S. B. No. 147 was read a second time, and on motion of Mr. Dimick was referred to the Committee on Education.

S. B. No. 157 was read a second time, and on motion of Mr. Cartwright was referred to the Committee on Education.

Mr. Williams, Chairman of the Committee on Enrollment, submitted the following

## REPORT.

SENATE CHAMBER, }  
SALEM, January 31, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred S. J. R. No. 10, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## REPORT.

SENATE CHAMBER, }  
SALEM, January 31, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Joint Memorial No. 4, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## REPORT.

SENATE CHAMBER, }  
SALEM, January 31, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Joint Resolution No. 9, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## REPORT.

SENATE CHAMBER, }  
SALEM, February 1, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred S. J. M. No. 5, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, February 1, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred S. J. R. No. 12, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, February 1, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred S. J. R. No. 6, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, February 1, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred S. J. R. No. 11, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

Mr. Weatherford by unanimous consent first obtained, introduced S. B. No. 162, being a bill for an Act to amend an Act entitled "An Act to amend an Act" entitled an Act to amend Section 8, Chapter VIII. of the General Laws of Oregon.

The bill was read the first time.

Mr. Weatherford moved that the rules be suspended and S. B. No. 162 be read a first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dinick, Gray, Hare, Irvine, Lee, Looney, Miller, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President

—22.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton, Rinehart, Siglin and Shupe—8.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Weatherford was referred to the Committee on Corporations.

### THIRD READING OF BILLS.

S. B. No. 1 was read the third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Siglin, Shupe, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—Mr. Simon—1.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton, and Rinehart—6.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 13 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton and Rinehart—7.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 27 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton and Rinehart—6.

So the bill passed, and the title of the bill stands as the title of the Act.



S. B. No. 30 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hamilton, Rinehart and Williams—7.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 32 was read the third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Chamberlin, Gray, Lee and Steel—4.

Nays—Messrs. Barin, Bird, Coleman, Cartwright, Dawson, Dimick, Irvine, Looney, Miller, Siglin, Shupe, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—18.

Absent—Messrs. Allen, Chandler, Cauthorn, Emmett, Hare, Hamilton, Rinehart and Simon—8.

So the bill was declared not passed.

On motion of Mr. Siglin, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

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WEDNESDAY, FEBRUARY 2, 1887.

MORNING SESSION.

SENATE CHAMBER, }  
SALEM, February 2, 1887. }

The Senate met pursuant to adjournment, and was called to order by the President.

The roll was called and all Senators reported present except Messrs. Cauthorn, Rinehart, Siglin, Simon and Wager—5.

Prayer was offered by Rev. J. Bowersox of Salem.

The Journal of yesterday was read and approved.

## COMMUNICATION FROM THE GOVERNOR.

*To the Honorable the Senate and House of Representatives of the State of Oregon:*

GENTLEMEN: At an adjourned meeting of "The Board of Commissioners for the Sale of School and University Lands," held on Tuesday, February 1, 1887, the following ruling was made:

*In the matter of applicants for swamp lands since the passage of the law approved October 18, 1878, relating to such lands, who made applications for such land in excess of the amount specified in that Act, to-wit, 320 acres. Held:* That such applications and the certificates based thereon are void, being without authority of law.

Following is a list of persons to whom such void certificates have been issued, together with the amount of the land included in such certificates, and also the amount of money paid thereon:

DATE OF CERT.	NO.	NAME OF PURCHASER.	ACRES.	AMOUNT PAID.
July 26, 1880	123	H. C. Owen	55,185.36	\$ 11,468 32
Feb. 23, 1881	124	H. C. Owen	66,606.32	13,366 89
Nov. 22, 1881	127	John N. Vance	5,600.00	1,120 00
Jan. 5, 1882	129	J. N. Vance	800.00	160 00
20, 1882	130	H. C. Owen	720.00	144 00
17, 1882	131	W. B. Todhunter	26,558.54	5,311 71
17, 1882	133	W. B. Todhunter	8,300.88	1,660 17
Sept. 12, 1882	134	H. C. Owen	2,959.80	591 96
Oct. 24, 1882	135	H. J. Glenn	22,055.63	22,055 66
Nov. 28, 1882	136	H. C. Owen	3,200.00	640 00
April 23, 1883	137	Heirs of B. F. Hutchinson	562.31	112 46
Oct. 9, 1883	138	H. C. Owen	10,197.40	2,039 48
Nov. 14, 1883	139	H. C. Owen	126,893.03	25,378 60
14, 1883	140	H. C. Owen	6,716.15	1,348 23
April 3, 1884	141	Ayres & McConnaughey	4,320.42	864 08
3, 1884	142	H. C. Wilson	7,210.64	1,442 13
3, 1884	143	H. F. Wilson	1,082.60	1,082 60
March 10, 1884	145	H. C. Owen	133,400.18	37,545 54
10, 1885	146	A. W. Patterson	3,698.69	739 75
April 3, 1884	144	H. C. Owen	78,901.61	15,780 32
Total			564,969.60	\$ 142,846 90

From the foregoing list it will be seen that \$142,846 90 have been received as payments on the lands included in the certificates so issued.

I presume it will not be necessary for me to adduce any argument to substantiate the ruling of the Board. None whatever is needed. The rule is only the plain letter of the law. It must be observed and enforced. But while the Board shall do so, it is of the opinion that the purchasers of such land from the Board, through its misapprehension of the law, should be entitled to receive back the money so paid upon a return and cancellation of such certificates, with reservations, however, protecting actual settlers

who have purchased lands from persons holding such certificates. This the Board conceives to be nothing but what is just and fair. I would therefore suggest that provisions should be made by you for the return of the money so paid by the purchasers, to them, so soon as possible after such certificates upon which such money was paid are returned for cancellation.

Besides providing for the repayment of the money paid the State on such void certificates, it would be proper that the Legislature should make provision for the payment of outstanding warrants against the State. The amount of such warrants drawn upon the Swamp Land Fund amounts to \$52,406 09, and the interest due thereon, February 1, 1887, amounts to \$41,759 85, making a total of \$94,165 94. Accompanying this message is a detailed statement of such warrants and for what purpose drawn. The greater bulk of these warrants are drawing ten per cent. interest. At the same time the State is loaning money at eight per cent. This is very poor finance, and should be stopped. I would therefore recommend that a levy of one mill on the dollar be authorized by the Legislature, in order to pay these warrants and to return the money paid to the State on void certificates.

In your legislation in regard to this Swamp Land matter, I trust that you will endeavor to protect the actual settler, so far as possible, who has purchased in good faith.

The Legislature, in my judgment, should secure, before its adjournment, a solution of this Swamp Land matter, so that while injustice may be done to none, the State domain shall be parceled out, as was the intent and letter of the law, to actual settlers in small quantities.

A copy of this message has been furnished to the concurrent branch of the Legislature.

(Signed.)

SYLVESTER PENNOYER.

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Accompanying the foregoing communication was the following tabulated statement:

TABULATED STATEMENT.

DATE OF ENDORSEMENT.	TO WHOM ISSUED.	NO.	ORIGINAL AMOUNT.	INTEREST.	TOTAL.
May 20, 1874	Chairman of Board of Commissioners of Nehalem and Astoria Wagon Road Com's	1939	\$ 2,000 00	\$ 2,538 88	\$ 4,538 88
May 20, 1874	Chairman of Board of Commissioners of Nehalem and Astoria Wagon Road Com's	1940	2,000 00	2,538 88	4,538 88
May 20, 1874	Chairman Board of Commissioners of Southern Oregon Wagon Road	1941	1,000 00	1,269 44	2,269 44
May 20, 1874	do do do	1942	1,000 00	1,269 44	2,269 44
May 20, 1874	do do do	1943	1,000 00	1,269 44	2,269 44
May 20, 1874	do do do	1944	1,000 00	1,269 44	2,269 44
May 20, 1874	do do do	1945	1,000 00	1,269 44	2,269 44
May 20, 1874	do do do	1946	1,000 00	1,269 44	2,269 44
May 20, 1874	do do do	1947	1,000 00	1,269 44	2,269 44
May 20, 1874	do do do	1948	1,000 00	1,269 44	2,269 44
Feb. 11, 1875	Chairman of Dalles and Sandy Road	606	500 00	598 47	1,098 47
Feb. 11, 1875	do do do	607	500 00	598 47	1,098 47
Feb. 11, 1875	do do do	612	1,000 00	1,196 94	2,196 94
March 30, 1875	do do do	763	500 00	591 66	1,091 66
May 24, 1875	J. B. Crossen, Chairman	853	1,000 00	1,168 33	2,168 33
May 24, 1875	do do do	855	1,000 00	1,168 33	2,168 33
May 24, 1875	do do do	857	1,000 00	1,168 33	2,168 33
June 19, 1875	do do do	970	500 00	580 69	1,080 69
June 19, 1875	do do do	971	500 00	580 69	1,080 69
June 19, 1875	do do do	973	500 00	580 69	1,080 69
June 19, 1875	do do do	974	500 00	580 69	1,080 69
June 19, 1875	do do do	975	500 00	580 69	1,080 69
June 19, 1875	do do do	977	500 00	580 59	1,080 69
June 19, 1875	do do do	980	500 00	580 69	1,080 69
June 19, 1875	do do do	981	500 00	580 69	1,080 69
June 19, 1875	do do do	982	500 00	580 69	1,080 69
June 19, 1875	do do do	983	500 00	580 69	1,080 69
June 11, 1876	do do do	1430	500 00	552 64	1,052 64
Jan. 11, 1876	do do do	1436	500 00	552 64	1,052 64
Feb. 11, 1876	do do do	1475	500 00	548 47	1,048 47
Feb. 11, 1876	do do do	1484	500 00	548 47	1,048 47
June 4, 1877	do do do	845	500 00	486 94	986 94
Sept. 26, 1877	N. H. Gates, President of Dalles and Sandy Wagon Road	1160	1,000 00	934 44	1,934 44
Sept. 26, 1877	do do do	1161	1,000 00	934 44	1,934 44
Sept. 26, 1877	do do do	1162	1,000 00	934 44	1,934 44
Sept. 26, 1877	do do do	1174	1,000 00	934 44	1,934 44
Sept. 26, 1877	do do do	1175	1,000 00	934 44	1,934 44
Sept. 26, 1877	do do do	1180	1,000 00	934 44	1,934 44
Sept. 26, 1877	do do do	1185	1,000 00	934 44	1,934 44
Sept. 26, 1877	do do do	1186	1,000 00	954 44	1,954 44
Sept. 26, 1877	do do do	1178	1,000 00	934 44	1,934 44

March 21, 1881	H. W. Cooke	723	128 40	60 17	188 57
Oct. 24, 1882	John Mullan	154	1,000 00	341 33	1,341 33
Oct. 24, 1882	do	155	1,037 07	953 65	1,390 72
Oct. 24, 1882	do	156	1,612 07	208 91	1,820 98
July 18, 1883	Register La Grande Land Office	1043	198 91	55 19	255 10
July 18, 1883	do do	1042	198 91	58 19	255 10
Sept. 29, 1883	H. H. Hewett	1388	440 45	117 55	557 90
Feb. 23, 1885	H. C. Perkins	292	600 00	95 60	695 60
Feb. 23, 1885	do	293	700 00	207 12	907 12
Feb. 24, 1885	do	306	600 00	95 60	695 60
Feb. 24, 1885	do	345	1,622 00	250 86	1,872 86
Feb. 24, 1885	do	309	4,971 50	768 88	5,740 38
Feb. 24, 1885	Henry W. Cook	307	200 00	14 88	214 88
Feb. 24, 1885	H. C. Perkins	294	750 00	56 00	806 00
March 2, 1885	John Haley, Administrator of Estate of A. H. Robie	524	800 00	114 31	914 31
March 2, 1885	do	525	127 00	19 51	146 51
March 2, 1885	do	526	100 00	15 28	115 28
March 2, 1885	do	527	100 00	15 28	115 28
March 2, 1885	do	528	100 00	15 28	115 28
March 2, 1885	do	529	100 00	15 28	115 28
March 2, 1885	do	530	100 00	15 28	115 28
March 2, 1885	do	531	200 00	30 56	230 56
March 2, 1885	do	532	200 00	30 56	230 56
March 2, 1885	do	533	314 18	48 02	362 20
Jan. 13, 1885	F. A. Abernathy	3366	758 35	63 52	821 87
Jan. 25, 1886	Thomas McGill & Co	3383	108 05	8 70	116 75
Feb. 3, 1886	P. H. D'Arcy	3422	100 25	8 00	108 25
April 7, 1886	Frank A. Abernathy	3811	474 60	30 85	505 45
Sept. 20, 1886	do	4976	549 70	6 09	555 79
Nov. 10, 1887	do	5591	780 65	8 66	789 31
Jan. 10, 1887	John Mullan	5972	25 00		25 00
Jan. 8, 1887	F. A. Abernathy	6173	409 00	1 90	410 90
Total			\$ 52,406 09	\$ 41,759 85	\$ 94,165 93

On motion of Mr. Hare, it was ordered that 1,000 copies of the foregoing Governor's communication be printed and the whole matter be referred to the Committee on Public Lands.

Mr. Watts, having obtained unanimous consent, introduced S. B. No. 163, being a bill for an Act to amend the city charter of McMinnville.

The bill coming on for the first reading, Mr. Watts moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—26.

Nays—Mr. Wager—1.

Absent—Messrs. Cauthorn, Rinehart, Siglin—3.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Watts moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Absent—Messrs. Cauthorn and Rinehart—2.

Nays—None.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Watts referred to the Senators from Yamhill County.

The Special Committee on the advisability of erecting a monument to the memory of the late General Joseph Lane made the following

#### REPORT.

*To the Honorable, the President of the Senate:*

The Committee appointed under Senate Resolution No. 21 of the Special Session of the Legislative Assembly of 1885 to inquire into the expediency and probable cost of the erection of a monument in some suitable place in Salem, Oregon, to the memory of the late Joseph Lane, of Douglas County, Oregon, have the honor to make the following

## REPORT.

That it is deemed expedient to erect such a monument and the proper place to put it, if the city of Salem is willing, is in Wilson Avenue in said city, or on the Capitol grounds.

That a very suitable monument could be erected according to the plans herewith submitted out of Scotch Granite for a sum not to exceed twenty-four hundred dollars.

The plans and specifications herewith submitted your Committee deem the best under all the circumstances that have been presented to it.

Respectfully submitted,

JOHN EMMETT,  
JOHN H. SHUPE.

On motion of Mr. Shupe, the above report, together with the plans and specifications for the monument, were referred to the Committee on Judiciary, with leave to report at any time by bill or otherwise.

By unanimous consent, asked by Mr. Stanley, S. B. 152 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cartwright, Cauthorn, Siglin, and Rinehart—4.

So the bill passed, and the title of the bill stands as the title of the Act.

By unanimous consent, Mr. Wager presented a petition from the citizens of Umatilla County, asking for a law to prevent sheep from ranging within a certain distance of any settler's land, and at his request the same was referred to the Judiciary Committee, with instructions to report as to the advisability or constitutionality of such a law.

S. B. No. 35 was read the third time, and the question now being, "Shall the bill pass?"

By unanimous consent, asked by Mr. Wager, the four words "throughout its entire length" were ordered stricken out of line three in Section 2.

Mr. Siglin moved that the bill be referred to a Special Committee of two, consisting of the Senators from Umatilla and Baker counties, for amendments, with leave to report at any time.

On this question the ayes and nays were called for by Messrs. Wager and Veatch.

The roll was called and the vote was:

Those voting aye were:

None.

Nays—Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Absent—Mr. Rinehart—1.

Excused—Mr. Cauthorn—1.

So the motion to refer was lost.

Now the question "Shall the bill pass?" being again stated, the roll was called and the vote was as follows:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts—26.

Nays—Simon and Mr. President—2.

Absent—Rinehart—1.

Excused—Cauthorn—1.

So the bill passed, and the title of the bill stands as the title of the Act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 2, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. J. M. No. 4, in relation to protecting the channel of the Willamette River near Corvallis, Benton County.

Also, that he has signed S. J. M. No. 5, in regard to opening a channel in the Umpqua River to a point at or near Elkton, in Douglas County.

Also, that he has signed S. J. M. No. 6, to repeal H. J. R. No. 5, passed January 17,, 1885, providing for an Advisory Board of Pardons.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

S. B. No. 39 was read the third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:



Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts—25.

Nays—Messrs. Chandler, Wager, Mr. President—3.

Absent—Messrs. Miller and Rinehart—2.

So the bill passed, and the title of the bill stands as the title of the Act.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 2, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that S. B. No. 117, for an Act to amend the charter of Astoria, and S. B. No. 158, authorizing the construction of a dyke on Duncan Slough, have both been passed by the House.

And the same are herewith transmitted for enrollment.

A. C. JENNINGS.

Chief Clerk.

The President announced that he was about to sign S. J. R. No. 6, and shortly afterward stated that he had signed it.

The President announced that he was about to sign S. J. M. No. 4, and shortly afterward stated that he had signed it.

The President announced that he was about to sign S. J. M. No. 5, and shortly afterward stated that he had signed it.

On motion of Mr. Simon, the Senate adjourned.

### AFTERNOON SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the members reported present except Messrs. Rinehart, Simon, Stanley and Weatherford.

### THIRD READING OF SENATE BILLS.

S. B. No. 41 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Cham-

berlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Steel, Veatch, Williams, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Cartwright, Rinehart, Simon, Stanley and Weatherford—5.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 50 was read the third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Shupe, Stanley, Williams, Wager, Watts—19.

Nays—Messrs. Barin, Coleman, Miller, Siglin, Steel, Veatch, Mr. President—7.

Absent—Messrs. Cartwright, Rinehart, Simon, Weatherford—4.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 52 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cauthorn, Rinehart, Siglin—4.

So the bill was declared passed, and by unanimous consent the title of the bill was changed so as to read instead of "Sections 2 and 3" "Sections 2, 3 and 4," and as amended the title of the bill stands as the title of the Act.

S. B. No. 58 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Miller, Siglin, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—24.

Nays—Messrs. Irvine, Looney, Veatch—3.

Absent—Messrs. Cauthorn, Rinehart, Weatherford—3.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

S. B. No. 62 was read a third time, and on motion of Mr. Barin was recommitted to the Committee on Public Lands for correction.

S. B. No. 63 was read the third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cartwright, Chandler, Hare, Rinehart and Stanley—6.

So the bill passed, and the title of the bill stands as the title of the Act.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 2, 1887. }

*To the Honorable the President of the Senate:*

I am directed by the Governor to inform you that he has signed

#### HOUSE BILL NO. 222.

"An Act making an appropriation to pay the per diem and mileage of the members of the Fourteenth Biennial Session of the Legislative Assembly of the State of Oregon and other expenses of said Session," and the same has been this day filed in the office of the Secretary of State.

WM. A. MUNLY,  
Private Secretary.

S. B. No. 66 was read a third time, and the question now being, "Shall the bill pass?"

At this time Mr. Simon presented a number of petitions from the people, and Mr. Chamberlin also presented petitions, all praying for the passage of the bill, which were ordered to go with the bill.

At the request of Mr. Simon, unanimous consent was given to have the Chief Clerk strike out the emergency clause from the bill, which was so done.

The question now being again, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Gray, Irvine, Lee, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Mr. President—20.

Nays—Messrs. Allen, Barin, Dawson, Hare, Hamilton, Looney, Weatherford and Watts—8.

Absent—Messrs. Emmett and Rinehart—2.

So the bill passed, and the title of the bill stands as the title of the Act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 2, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. J. R. No. 11, to empower the Committee of five on Swamp Lands to *compel* the attendance of witnesses, administer oaths, etc.

Also, that he has signed S. J. R. No. 12, appropriating \$500 00 for the use and benefit of the Oregon Pioneer Association.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 2, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 15, providing for building a bridge across the Willamette River between Portland and East Portland.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 2, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. J. R. No. 9, requiring the Superintendent of Public Instruction to issue special circulars to the several County Superintendents requesting them to select, by vote, primary text-books on certain topics.

Also, that he has signed S. J. R. No. 10, authorizing the Secretary of State to cause to be published 6500 copies of the amended School Laws.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

By unanimous consent, Mr. Cartwright moved that the vote whereby it was ordered that Senate Resolution No. 21 be referred to the Committee on Public Lands be reconsidered, and vote being taken the same resulted in its reconsideration.

A vote being taken on the reference of the Resolution to the Committee on Public Lands, the same was lost.

On motion of Mr. Cartwright, S. R. No. 21 was adopted.

Mr. Cartwright, Chairman of the Committee on Public Lands, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon. }

*Mr. President*—Your Committee on Public Lands, to whom was referred S. B. No. 62, as instructed by the Senate, would respectfully report the same back with the following recommendations:

Strike out Section 1.

Make Section 2 read Section 1 as follows: Title III. of Chapter XXIX. of the Miscellaneous Laws of Oregon as compiled by Matthew P. Deady and La Fayette Lane, be and the same is hereby repealed.

Amend title of the Act for an Act to repeal "Title III." of Chapter XXIX. of the Miscellaneous Laws of Oregon as compiled by Matthew P. Deady and La Fayette Lane.

C. M. CARTWRIGHT,  
Chairman.

On motion of Mr. Hare, the amendments were adopted.

S. B. No. 62 as amended was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Rinehart, Siglin, Steel—3.

So the bill passed, and the title of the bill stands as the title of the Act.

The President announced that he was about to sign S. J. R. No. 9, and soon after stated that he had signed it.

The President announced that he was about to sign S. J. R. No. 10, and soon afterwards stated that he had signed it.

The President announced that he was about to sign S. J. R. No. 11, and shortly afterward stated that he had signed it.

The President announced that he was about to sign S. J. R. No. 12, and shortly afterward stated that he had signed it.

S. B. No. 67 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cartwright, Rinehart, Siglin, Weatherford—4.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 79 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Chandler, Gray, Miller, Siglin, Shupe, Simon, Stanley, Steel, Watts, Mr. President—11.

Nays—Messrs. Barin, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Veatch, Williams, Weatherford, Wager—17.

Absent—Messrs. Cartwright and Rinehart—2.

So the bill failed to pass.

S. B. No. 80 was read a third time, and on motion of Mr. Siglin was referred to the Committee on Judiciary for changes, with leave to report at any time.

S. B. No. 85 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Cartwright, Chamberlin, Gray, Looney, Siglin, Steel—6.

Nays—Messrs. Barin, Bird, Coleman, Chandler, Cauthorn, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Miller, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Absent—Mr. Rinehart—1.

So the bill failed to pass.

On motion of Mr. Siglin, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

THURSDAY, FEBRUARY 3, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, February 3, 1887. }

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called, and all the Senators reported present except Mr. Rinehart.

Prayer was offered by Rev. J. W. Harris of Salem.

The Journal of yesterday was read and approved.

Mr. Dimick, having obtained unanimous consent, introduced S. C. R. No. 10, as follows:

## SENATE CONCURRENT RESOLUTION NO. 10.

Introduced by Mr. Dimick.

WHEREAS, Senate Concurrent Resolution No. 8 requested the Secretary of State to have printed 250 copies of the annual reports of the different railroad companies doing business in this State; and

WHEREAS, Several weeks' time would be required for preparation of copies of the whole of said reports, including the answer to specifications Nos. 34 and 35 of Section 1 of the Act, requiring such reports; now, therefore, be it

*Resolved by the Senate, the House concurring :*

That the Secretary of State be requested to omit from said copies the answers to all specifications of said Act except such portions of said reports as shall be contained in an abstract therefrom showing for the year ending June 30, 1886, the amount of capital stock subscribed; the amount of stock paid in; the amount of liabilities of funded debt and rate of interest; the amount of floating debt; total cash value of all property; the length of single main track; the length of branches; the number of tons of through and local freight carried during said year; the total passenger and the freight earnings; the total earnings from all sources; the amount of expenses of running and management of passenger, and of freight and mixed trains; all other expenses of running and management; the amounts expended for repairs and maintenance of way; the amounts expended for improvements; amount expended for station houses and buildings; and the rates of passenger fares, through and way separately for said year; and that he be authorized to prepare and have

printed such abstract instead of the copies mentioned in said Senate Concurrent Resolution No. 8.

On motion of Mr. Dimick, S. C. R. No. 10 was adopted.

Mr. Chamberlain, Chairman of the Committee on Counties, having obtained unanimous consent, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, February 3, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred Senate bill No. 83, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following

#### AMENDMENTS,

To-wit:

Insert after the word "least" in line 11 of Section 1 of printed bill the word "ten."

Strike out all that part of Section 1 after the word "officer" in line 20, printed bill, to and including the word "deficiency" at the end of line 25 of printed bill and insert in lieu thereof "then of the Governor."

Insert after word "desiring" in line 1, Section 3 of printed bill, the words "to move."

After the first word "than" in line 7, Section 3 of printed bill, strike out "two hundred and."

After the second word "than" in line 7, Section 3 of printed bill, strike out the words "one thousand" and insert in lieu thereof "five hundred."

After the word "office" in line 11, Section 9 of printed bill, insert "if there be no inspector appointed the County Clerk shall keep such records."

Before the word "all" in line 1, Section 15 of printed bill, insert "That the Act entitled an Act to prevent the spreading of contagious and infectious diseases among sheep, approved October 25, 1880, and."

Amend Section 5 of printed bill as follows: In line 3 after the words "Baker County" insert "five hundred" and after the words "Benton County" insert "twenty-five" in fourth line.

After the words "Clackamas County" insert "twenty-five."

After the words "Clatsop County" insert "twenty-five," in line 5.



After the words "Columbia County" insert "twenty-five."

After the first word "County" in line 6 insert "twenty-five."

After the words "Crook County" insert "eight hundred."

After the first word "County" in line 7 insert "twenty-five."

After the words "Douglas County" insert "one hundred."

After the first word "County" in line 8 insert "eight-hundred."

After the words "Grant County" insert "eight hundred."

In line 9 after the words "Jackson County" insert "one hundred."

After the words "Josephine County" insert "twenty-five."

In line 10 after the words "Klamath County" insert "one hundred."

After the words "Lake County" insert "three hundred."

In line 11 after the words "Lane County" insert "twenty-five."

After the words "Linn County" insert "twenty-five."

In line 12 after the words "Marion County" insert "twenty-five."

After the words "Morrow County" insert "eight hundred."

In line 13 after the words "Multnomah County" insert "one hundred."

After the words "Polk County" insert "twenty-five."

In line 14 after the words "Tillamook County" insert "twenty-five."

After the words "Umatilla County" insert "eight hundred."

In line 15 after the words "Union County" insert "five hundred."

After the words "Wasco County" insert "eight hundred."

After the words "Washington County" in line 16 insert "twenty-five."

After the words "Yamhill County" insert "twenty-five."

Amend Section 10, printed bill, by inserting after the words "two hundred and fifty dollars" in line 16 the following, to-wit: "*Provided, however*, that this section shall not apply to any County of this State west of the Cascade Mountains."

M. L. CHAMBERLIN,  
Chairman.

Mr. Cartwright moved to adopt the report and amendments.

Mr. Siglin moved to further amend as follows:

#### AMENDMENT.

Add to Section 11: "*Provided, however*, that this section shall not apply to any counties west of the Cascade Mountains."

On motion of Mr. Chandler, the further consideration of the foregoing report and amendments to S. B. No. 83 was made the special order for two o'clock this afternoon.

S. B. No. 86 coming on for a third reading, Mr. Simon moved

that the consideration of this bill be made the special order for next Saturday at 10 o'clock A. M. of said day, which motion prevailed.

Mr. Simon moved that the petitions heretofore presented to the Senate, addressed to His Excellency, the Governor and the Senate, and House of Representatives, earnestly praying for the passage by the Legislature and the approval by the Governor of S. B. No. 13, be withdrawn from the files of the Senate and transmitted to His Excellency, the Governor, for his consideration, which motion prevailed.

The courtesies of the Senate were extended to ex-Senator Waters from Multnomah County.

S. B. No. 89 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Rinehart, Stanley—2.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

S. B. No. 92 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Miller and Rinehart—2.

So the bill was declared passed, and the title of the bill stand as the title of the Act.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 3, 1887. }

*To the Honorable the President of the Senate:*

As a matter of gratifying intelligence, the Governor directs me to submit to the Legislature the enclosed dispatch, received this morning from Senator John H. Mitchell.

WM. A. MUNLY,  
Private Secretary.

## DISPATCH.

WASHINGTON, D. C.,  
9:36 A. M., February 3, 1887. }

*Hon. Sylvester Pennoyer, Governor of Oregon:*

Under instructions from Senate Committee on Transportation Route to Seaboard, I yesterday reported to the Senate with favorable recommendation a bill appropriating five hundred thousand dollars for final survey and commencement of construction of a boat railway at The Dalles, accompanied with emphatic favorable report signed by eight of the nine Senators on the Committee—four Republicans and four Democrats.

(Signed.)

JOHN H. MITCHELL.

S. B. No. 94 was read a third time, and on motion of Mr. Chandler was referred to the Committee on Counties for amendments.

S. B. No. 107 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Chandler, Cartwright, Gray and Rinehart—4.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

By unanimous consent obtained by Mr. Cauthorn, S. J. R. No. 13 was taken from the table.

Mr. Cauthorn moved that S. J. R. No. 13 be indefinitely postponed.

Pending the discussion of this question, the Senate on motion of Mr. Miller adjourned.

## AFTERNOON SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators reported present except Mr. Rinehart.

The consideration of S. B. No. 83 and amendments having been made the special order for 2 o'clock this afternoon, coming up, Mr. Cartwright moved that S. B. No. 83 with amendments be referred to the Senators from east of the Cascade mountains, which motion prevailed and it was so ordered.

S. J. R. No. 13 being now further considered, the same was on motion of Mr. Cauthorn indefinitely postponed.

Mr. Williams, Chairman of the Committee on Enrolled Bills, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, February 3, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bill No. 158, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

REPORT.

SENATE CHAMBER,  
SALEM, February 3, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bill No. 15, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

REPORT.

SENATE CHAMBER,  
SALEM, February 3, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bill No. 117, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, February 3, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bill No. 134, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 3, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted H. C. R. No. 22, instructing the Joint Committee on Public Buildings to examine the public buildings of the State and to make a report upon the condition of the same.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. C. R. No. 22, accompanying the foregoing message, was read and on motion of Mr. Simon was concurred in by the Senate.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 3, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 104, being a bill to create the County of Harney and fix the salaries of County Judge and Treasurer thereof.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 104, accompanying the foregoing message, being a bill for an Act to create the County of Harney and fix the salaries of County Judge and Treasurer, coming on for its first reading, Mr. Simon moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Chandler, Cauthorn, Rinehart and Steel—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 3, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 66, being a bill to create the County Malheur, in the State of Oregon, and to fix the salaries of County of Judge and Treasurer thereof.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 66, accompanying the foregoing message, coming on for a first reading, Mr. Simon moved that the rules be suspended and the bill be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Cartwright, Chandler, Cauthorn, Gray, Rinehart and Steel—6.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 3, 1887. |

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 128, being a bill to incorporate the town of Drain in Douglas County, Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 128, accompanying the foregoing message, coming on for the first reading, Mr. Shupe moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Chandler, Gray, Hare, Miller, Rinehart and Steel—7.

So the rules were suspended, and the bill was read the first time by title and passed to a second reading without a question.

Mr. Shupe moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Chamberlin, Gray, Miller, Rinehart, Steel and Weatherford—6.

So the rules were suspended and the bill was read a second time by title.

Mr. Shupe moved that the rules be still further suspended and the bill be read the third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Chamberlin, Gray, Miller, Rinehart, Steel—5.

So the rules were suspended and the bill was read the third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cartwright, Gray, Hare, Miller, Rinehart, Weatherford—8.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 3, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 38, being a bill for an Act to incorporate the town of Medford.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 38, accompanying the foregoing message, coming on for the first reading, Mr. Stanley moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Coleman, Cartwright, Hare, Miller, Rinehart Steel—6.

So the rules were suspended and the bill was read a first time by title, and passed to a second reading without a question.

Mr. Stanley moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.



Nays—None.

Absent—Messrs. Barin, Coleman, Cartwright, Miller and Rinehart—5.

So the rules were suspended and the bill was read a second time by title.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 3, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. 52, being a bill for an Act to create the County of Morrow and fix the salaries of County Judge and Treasurer thereof.

And the same is herewith transmitted for the consideration of the Senate,

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 52, accompanying the foregoing message, was read the first time.

Mr. Wager moved that the rules be suspended and H. B. No. 52 be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cartwright, Cauthorn, Miller and Rinehart—4.

So the rules were suspended and the bill was read a second time by title.

Mr. Wager moved that the rules be still further suspended and the bill be read the third time now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Cartwright, Miller, Rinehart, Stanley, Steel and Veatch—6.

So the rules were suspended and the bill was read a third time,

and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cauthorn, Rinehart, Steel and Veatch—4.

So H. B. No. 52 was declared passed.

On motion of Mr. Hare, the Governor's Message received this forenoon was referred to the Columbia River Improvement Committee.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 3, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted H. J. R. No. 9, declaring lands of Willamette Valley and Coast Railroad liable to taxation.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Cauthorn, it was ordered that the same be printed and referred to the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 3, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that House Bill No. 18 has passed the House, providing for the relocation of the County Seat of Yamhill County, Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 18, accompanying the foregoing message, coming on for the first reading, Mr. Watts moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cau-

thorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Miller, Rinehart and Steel—3.

So the rules were suspended and H. B. No. 18 was read the first time by title and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 3, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed Senate Bills Nos. 15, 117, 134 and 158.

And the same are herewith returned.

A. C. JENNINGS,  
Chief Clerk.

S. B. No. 109 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts—24.

Nays—Messrs. Barin, Stanley, Mr. President—3.

Absent—Messrs. Lee, Miller and Rinehart—3.

So the bill passed, and the title of the bill stands as the title of the Act.

The President announced that he was about to sign Senate Bill No. 15, and soon afterward stated that he had signed it.

The President announced that he was about to sign Senate Bill No. 117, and soon afterward stated that he had signed it.

The President announced that he was about to sign S. B. 158, and soon afterward stated that he had signed it.

The President announced that he was about to sign S. B. 134, and soon afterward stated that he had signed it.

S. B. No. 148 was read a third time, and on motion of Mr. Shupe was referred to the Committee on Judiciary.

H. B. No. 27 was read a second time and passed to a third reading.

Mr. Simon moved that the rules be suspended and the bill be read a third time now.

On this question the roll was called and the vote was:

Those voting aye were :

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Hare, Rinehart, Veatch and Weatherford—6.

So the rules were declared suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Cartwright, Cauthorn, Miller, Rinehart, Siglin, Wager—6.

So the bill was declared passed.

H. B. No. 3 coming on for a second reading, Mr. Watts moved that the rules be suspended and the bill be read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Cartwright, Cauthorn, Hare, Rinehart, Siglin, Veatch, Williams, Weatherford, Wager—9.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Allen was referred to the Committee on Counties.

H. B. No. 34 was read the second time, and on motion of Mr. Simon was referred to the Committee on Judiciary.

H. B. No. 46 was read the second time, and on motion of Mr. Hare was referred to the Committee on Judiciary.

H. B. No. 40 coming on for a second reading, Mr. Dawson moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee,

Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Cartwright, Hare and Rinehart—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Watts was referred to the Committee on Counties.

By unanimous consent, Mr. Chandler moved that H. B. No. 66 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Cartwright and Rinehart—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chandler was referred to a Special Committee of three Senators.

Mr. Gray, Chairman of the Joint Committee on the Dalles and Columbia River Improvement, submitted the following

#### REPORT.

*To the Senate and House of Representatives of the State of Oregon:*

Your Joint Committee appointed under Senate Joint Resolution No. 1, to examine the Dalles of the Columbia River, with a view to constructing, either a canal and locks, or a ship railway around those obstructions to navigation, and to report as early as practicable, by bill or otherwise for the consideration of the present Legislative Assembly; also to examine the Government canal and locks improvement at the Cascades of said river, and ascertain from the United States Engineer officer in charge, the condition of that improvement and the prospect of more vigorous work, and the time required for its completion; and also to ascertain from the United States Engineer officer in charge of the improvement of the said river below Portland and the jetty at its mouth, their present condition and the prospect for the energetic prosecution of such work, beg leave respectfully to report that we have performed the duty assigned us to the best of our ability, considering the limited time at our disposal. Your Committee left this city on Friday the 14th of January, 1887, and proceeded directly to the Dalles that same day and arrived there about 9 o'clock P. M., and the next day proceeded up the river as far as Celilo. We were met by the Board of Trade of

the Dalles city, who furnished a special train for the use of the Committee on the trip up the river, and showed us marked attention while in their city. Major Jones and Lieut. Burr accompanied us and the former, especially, rendered much valuable assistance and important information to us while examining the obstructions to navigation at the Dalles of the Columbia. The rocks and rapids here form a complete and total obstruction. Boats can neither go up nor down, and in consequence means must be adopted to pass them both up and down if complete river navigation is proposed. A survey of this portion of the river has been made, and the urgency of some immediate action with a view to the speedy removal of said obstructions is very great.

It is so apparent that an adequate permanent improvement will be costly, and therefore require a long time to complete it, that temporary relief which can be executed in the least time and at small cost should be looked for. As nothing except the survey has been made in the way of improving the river at the Dalles, it is quite plain that if an appropriation should be made by Congress, so that the work could begin next season, at the same rate at which the work at the Cascades has been carried forward, it will be at least twelve or fifteen years before the river there could be opened by a canal and locks. Though it is estimated that a boat railway could be constructed in much less time than that, if the full amount of money necessary for its completion could be obtained at one appropriation. The lowest estimate for a boat railway is nearly \$1,400,000, and it is not likely that the first appropriation will be made sooner than in 1888. A portage railway, around the obstructions in this portion of the river, offers a solution, because it can be built in six months and at comparatively small cost. It might be commenced near the Big Eddy and extended to navigable water above the Falls, a distance of about ten miles, and the cost of a double narrow gauge track, with rolling stock and terminal facilities, would not exceed \$250,000, as estimated by Capt. Powell. And if the State would build this portage railway it could well ask Congress to undertake a more costly and adequate work, with a better prospect for a compliance with its request.

Your Committee on their return down the river made a hurried examination of the Government canal and locks improvements at the Cascades, and were greatly assisted therein by Captain Young, the engineer officer in charge of the work. At this point the obstruction to navigation is also complete. Here means must be adopted to pass boats both up and over the rapids. A canal with locks has been adopted for this purpose, and the work, as is well known, has been progressing for a number of years. When this

work is completed navigation will be continuous from the mouth of the Columbia to the Dalles, and will give an open and free waterway to all who wish to use it, and a healthy competition will be the result for all the trade centering on the river at and below the Dalles. The obstructions are caused by the river being forced through a narrow rocky gap in the Cascade Mountains, which very much contracts the waterway for a distance of about four and one-half miles. The greatest difficulty in the way of navigation is found at the upper portion of this constructed waterway; is known as the Upper Cascades, and is about one mile in length, and the remainder thereof, about three and one-half miles in length, is called the Lower Cascades.

The work here is being pushed forward with vigor and good judgment now, but owing to the delay caused by withholding the appropriation, the best part of the short season during which it can successfully be performed was lost. About three hundred hands are now at work, and Captain Young estimates that if he could have appropriations sufficiently large to supply all the labor and machinery which he could use in carrying forward his plans, the canal and locks could be completed and ready for passing boats in two years after this. The plan for the improvements here, as modified in 1880, is to "flank the Upper Cascades with a canal 3,000 feet long and to make the Lower Cascades navigable by clearing out islands, boulders, rocky points and submerged reefs by blasting, thus increasing and smoothing the waterway."

For want of time your Committee did not visit the Lower Columbia, and have not been able to obtain the data necessary to make a report in regard thereto. Having performed the duty assigned us to the best of our ability in the limited time allowed, we returned on Monday, January 17, 1887, to this city. In closing this report your Committee herewith present a memorial to be presented to Congress for an appropriation of \$1,373,000 for the construction and equipment of a boat railway at the Dalles of the Columbia, and also one for the speedy completion of the canal and locks at the Cascades.

J. H. D. GRAY,  
Chairman of Senate Committee.  
P. P. PALMER,  
Chairman of House Committee.

With the above report Mr. Gray, Chairman of the above named Committee, on behalf of said Committee, submitted and introduced Senate Joint Memorials Nos. 6 and 7 as follows:



## SENATE JOINT MEMORIAL NO. 6.

*To the Honorable the Senate and House of Representatives of the United States:*

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that with the exception of the Cascades, a distance of about 160 miles, and the Dalles, about 220 miles from its mouth, the Columbia River is practically navigable for boats of average tonnage from the ocean to Kettle Falls, a point more than 700 miles above the Dalles, and that as the topography of the country through which the river flows is such as to preclude the building of railways, except at enormous expense, the vast region known as the Columbia Basin, comprising not less than 23,000,000 acres—most of which is susceptible of cultivation—must reach the market of the world through the channel and over the bar of the Columbia. That a careful survey and plans for a boat railway at this point, with detail drawings and estimates, have been made under the direction of Major W. A. Jones, U. S. Engineer, the cost of which is estimated at \$1,373,000, and if such sum could be obtained at one appropriation the work could be completed in two years after this. That owing to the low and safe banks of the river at the Dalles and the solid rock foundation that could be obtained here, this is a peculiarly favorable point for the construction and successful operation of a boat railway.

Your memorialists therefore respectfully pray that an appropriation of \$1,373,000 be immediately made for the construction of said improvement.

## SENATE JOINT MEMORIAL NO. 7.

*To the Honorable the Senate and House of Representatives of the United States:*

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that the vast country drained by the Columbia and its tributaries east of the Cascade Mountains is rapidly becoming settled with an energetic and industrious people and producing an enormous volume of freight, which must seek the sea by nature's great highway in order to bring the expense of transportation within reasonable bounds. That while it is an imperative duty, as your memorialists believe, for the General Government to open this grand waterway from its mouth to the highest point of navigation thereon in the United States at the earliest date possible, yet some relief will be given to the people who are now oppressed



almost beyond endurance by the grinding monopoly now controlling the tonnage which seeks a market down said river by the completion of the Canal and Locks at the Cascades. That when this work is completed navigation will be continuous from the ocean to the Dalles, a distance of nearly 220 miles, and will give an open and free waterway to all who wish to use it, and the result will be a healthy competition for all the trade centering on the river at and below the Dalles. That it is estimated by the Engineer officer now in immediate charge of the improvements at said point that if an appropriation sufficiently large could be obtained to enable him to employ all the labor and machinery which can be profitably employed, the improvements could be completed in the year 1889 or two years after the present year.

Your memorialists, therefore, most respectfully but earnestly pray that an appropriation of \$500,000 for the early completion of said improvements be made.

On motion of Mr. Gray, 250 copies of the report with the accompanying Memorials were ordered printed.

Mr. Emmett submitted a number of petitions and remonstrances which were, by unanimous consent, referred with H. B. No. 40 to the Committee on Counties.

Mr. Lee introduced the following

#### SENATE JOINT MEMORIAL NO. 8.

*To the Honorable the Congress of the United States:*

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that there are now living in the State of Oregon a number of the Oregon pioneers who participated in the Indian wars commonly known as the Cayuse war and the Indian war of 1855-6.

These men in fighting the battles of the frontier, though not regularly enrolled in the army of the United States, engaged in a warfare as necessary in its character and as important in its results as that in which many now pensioned by the Government were engaged. They gave to the American settlers of the Oregon Territory that protection which they ought to have received at the hands of the Government. They risked as much, lost as heavily and suffered as grievously as though they had been regularly enlisted in the regular army of the country.

They secured the lives and property of the citizens and greatly facilitated the settlement and development of all that great country lying between the Rocky Mountains and the Pacific Ocean. This

great service has not been recognized by the Government, and we, your petitioners, most respectfully but most earnestly pray that the Congress of the United States will speedily take such measures as will result in placing the names of these citizen-soldiers upon the pension rolls of the Government.

On motion of Mr. Lee, S. J. M. No. 8 was adopted and 250 copies ordered printed by a unanimous vote.

Mr. Watts presented a number of petitions which, by unanimous consent, were referred with H. B. No. 18 to the Committee on Counties.

Messrs. Veatch and Wager presented a number of petitions which were referred to the Committee on Counties.

On motion of Mr. Simon, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

FRIDAY, FEBRUARY 4, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, February 4, 1887. }

The Senate met pursuant to adjournment and was called to order by President Carson.

The roll was called and all the Senators were found to be present except Messrs. Hare and Rinehart.

Prayer was offered by Rev. T. G. Brownson of Albany.

On motion of Mr. Watts the reading of the Journal of yesterday was dispensed with.

Mr. Watts, having obtained unanimous consent, on the part of the Special Committee of the Senators from Yamhill County submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, February 2, 1887. }

*Mr. President*—Your Special Committee of Senators from Yamhill County to whom was referred Senate Bill No. 163, beg leave to report that they have had the same under consideration, and would

respectfully report it back to the Senate with the recommendation that it do pass.

J. W. WATTS,  
R. P. BIRD,  
Committee.

Mr. Watts moved that the rules be suspended and S. B. No. 163 be read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs: Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Cauthorn, Hare, Rinehart, Siglin and Simon—5.

So the rules were suspended and the bill was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Rinehart, Stanley and Williams—3.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 4, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B's Nos. 19, 22, 27 and 33.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 3, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 247, being a bill for an Act to

amend Section 31 of an Act entitled an Act to incorporate the city of Ashland in the County of Jackson, State of Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Stanley moved that the rules be suspended and H. B. No. 247, accompanying the foregoing message, be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Gray, Hare and Rinehart—3.

So the rules were suspended and H. B. No. 247 was read the first time by title and passed to a second reading without a question.

Mr. Stanley moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Rinehart and Veatch—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Stanley was made the special order for 7:30 o'clock this evening.

The President announced that he was about to sign H. B. No. 19, and shortly afterwards stated that he had signed the same.

The President announced that he was about to sign H. B. No. 22, and shortly afterwards stated that he had signed the same.

The President announced that he was about to sign H. B. No. 27, and shortly afterwards stated that he had signed the same.

The President announced that he was about to sign H. B. No. 33, and shortly afterwards stated that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 3, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that

the House has passed H. B. No. 51, being a bill to change the name of Averill.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 51, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 3, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed House Bill No. 113, being a bill for an Act to incorporate Sellwood, in the Counties of Multnomah and Clackamas, State of Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Simon moved that the rules be suspended and H. B. No. 113, accompanying the foregoing message, be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Gray, Hare and Rinehart—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Stanley moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Rinehart—1.

So the rules were suspended and the bill was read a second time

by title, and on motion of Mr. Simon was made the special order for 8 o'clock this evening.

### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 4, 1887. }

*To the Honorable the President of the Senate:*

I am directed by the Governor to inform you that he has signed the following bills:

#### SENATE BILL NO. 117.

"An Act to amend Section 56 of an Act, entitled 'An Act to incorporate the city of Astoria in Clatsop County, Oregon,' approved October 20, 1876, and to amend Sections 2 and 3 of said Act, as amended by an Act entitled 'An Act to amend Section 1, Chapter I., Section 8, Chapter II., Section 16, Chapter III. of an Act to incorporate the city of Astoria in Clatsop County, Oregon,' approved October 20, 1876, approved November 9, 1885."

#### SENATE BILL NO. 134.

"An Act to amend an Act entitled 'An Act to incorporate the town of Hillsboro in Washington County, Oregon,' approved October 19, 1876."

#### SENATE BILL NO. 158.

"An Act to authorize the construction of a dyke across Duncan Slough, in Section 21, Township 18 S., Range 11 W. of the Willamette Meridian, in Lane County, State of Oregon."

And the same have been this day filed in the office of the Secretary of State.

WM. A. MUNLY,  
Private Secretary.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 3, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 169, being a bill for the incorporation of Springfield, Lane County, Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Hare moved that the rules be suspended and H. B. No. 169, accompanying, be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Rinehart—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Veatch moved that the rules be suspended and H. B. No. 169 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Rinehart—1.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Coleman was made the special order at 8:20 o'clock this evening.

#### • MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 3, 1887. }

Mr. President—I am directed by the Speaker to inform you that the House has passed H. B. No. 203, being a bill to amend the charter of the city of East Portland, Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Simon moved that the rules be suspended and H. B. 203, accompanying the foregoing message, be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Miller and Rinehart—2.

So the rules were suspended and H. B. No. 203 was read the first time by title and passed to a second reading without a question.

Mr. Simon moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Rinehart—1.

So the rules were suspended and H. B. No. 203 was read a second time by title, and on motion of Mr. Simon made the special order for this evening.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 3, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 186, to define the southern boundary of Linn County, Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 186, accompanying the foregoing message, was read the first time.

Mr. Veatch moved that the rules be suspended and H. B. No. 186 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Hamilton, Irvine,



Lee, Looney, Miller, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Emmett, Rinehart, Siglin and Steel—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Coleman was referred to a Special Committee consisting of the Senators from Lane and Linn Counties.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 4, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has reconsidered the vote by which H. J. R. No. 9 was adopted, and the same was indefinitely postponed.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Cauthorn, H. J. R. No 9 was ordered recalled from the Printer and then returned to the House.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 4, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted S. C. R. No. 10, requesting Secretary of State to omit from copies specifications such portions as shall be contained in abstracts, etc.

And the same is herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

By unanimous consent, Mr. Williams introduced S. B. No. 164, being a bill for an Act to authorize the construction of a wagon bridge across the Willamette River at Oregon City.

Mr. Williams moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting nay were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

## REPORT.

SENATE CHAMBER,  
SALEM, February 3, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 133, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following amendments:

## FIRST AMENDMENT.

Strike out all after the word "Bridge" in line 13, Section 1, printed bill, and insert the following in lieu thereof: *Provided*, that the plan or location of said bridge shall be left to a Board of two competent Engineers to be appointed for that purpose by the Governor.

## SECOND AMENDMENT.

Strike out Section (2) two, printed bill, and insert the following in lieu thereof:

SEC. 2. That the Legislative Assembly of this State shall have the right, power and authority at any time to prescribe such rules, regulations and rates of toll for transit and transportation over said bridge and the management thereof as may be deemed proper and reasonable, except that the County Courts hereby authorized to fix, alter and establish from time to time the rates of toll to be charged by such corporation or its assigns for the passage of footmen, vehicles and ordinary travel other than rail; *provided*, that said corporation or its assigns shall permit any other railroad corporation or its assigns, to use said bridge in the same manner and under the same rules and regulations as said corporation or its assigns, authorized to construct and use said bridge, as may be prescribed for its own traffic across said bridge, on paying a reasonable compensation therefor; and in case said companies shall not agree, then the Governor, Secretary of State and State Treasurer of this State shall constitute a Board to determine what said compensation shall be, with power to send for persons and papers, and compel attendance and production thereof, and to administer oaths and take testimony for the purpose of arriving at a correct decision in reference to the compensation to be paid; and this decision shall be final unless altered or changed by the Legislature.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, the amendments were adopted.

On motion of Mr. Lee, the bill was ordered engrossed for a third reading to-morrow.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 3, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 55, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following

#### AMENDMENT.

At the end of the printed bill add the following: *Provided*, that nothing in this Act shall be construed to authorize the leasing to any railroad, line to any company or corporation owning a road which forms a competing or parallel line to its railroad.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, the amendments were adopted.

On motion of Mr. Simon, the bill as amended was ordered engrossed, printed and made a special order for Monday next at 2 o'clock P. M.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 4, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred S. B. No. 101, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following

## AMENDMENT.

Insert after the word "State" in the fourth line of printed bill the following: Containing 15,000 inhabitants or more.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, the amendment was adopted.

On motion of Mr. Simon, the bill as amended was ordered engrossed for a third reading to-morrow:

Mr. Simon, Chairman of the Judiciary Committee, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 4, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred S. B. No. 54, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following

## AMENDMENT.

Add to the bottom of printed bill the following: *Provided, always,* that in the case of the leasing of any line of railroad incorporated under the laws of this State by a foreign corporation such leasing shall be upon the fundamental condition following and not otherwise: First—That such foreign corporation shall enter into an agreement in writing with the State of Oregon, to be signed by its President and attested by its Secretary, which agreement shall be filed with the Secretary of State of the State of Oregon, whereby and wherein said foreign corporation shall agree that in all suits or actions by and between said foreign incorporation and a citizen or citizens of this State during the continuance of such lease, shall be prosecuted or defended to a final determination in the Courts constituted by the laws of this State, excepting in cases when such action or suit shall be commenced in or removed to the Federal Courts by a citizen of this State, and upon the failure to comply with the terms of such agreement by such foreign incorporation such lease shall utterly determine and be rendered null and void at the option of the Legislative Assembly of the State of Oregon. Second—That the State of Oregon reserves to itself through its Leg-

islative Assembly and in such manner as it shall determine the right, power and authority to prescribe the rate to be charged for the transportation of persons and property over such leased lines, any also to prescribe and make such police regulations for the government of such roads as it may from time to time determine.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, the foregoing amendments to S. B. No. 54 were adopted.

Mr. Weatherford moved to add still further the following amendment to S. B. No. 54:

#### AMENDMENT.

Third—Receiving [Reserving] the right to the Legislative Assembly of the State of Oregon to amend, cancel, abrogate or set aside any such lease made under the provisions of this Act to any foreign incorporation or its assigns whenever said Legislative Assembly shall determine that such lease or leasing is not for the best interests of this State upon such terms as the Legislative Assembly shall deem reasonable and just.

Pending argument upon this amendment, the Senate, upon motion of Mr. Chandler, adjourned.

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#### AFTERNOON SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Hare and Steel.

The Senate proceeded with the consideration of Mr. Weatherford's amendment to S. B. No. 4 offered this forenoon.

On the vote for the adoption of Mr. Weatherford's amendment the ayes and nays were called for and the roll was called and the vote was:

Those voting aye were:

Messrs. Coleman, Cauthorn, Chamberlin, Dawson, Irvine, Veatch, Weatherford—7.

Nays—Messrs. Allen, Barin, Bird, Cartwright, Chandler, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Rinehart,

Siglin, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—23.

Absent—None.

So Mr. Weatherford's aforesaid amendment was declared lost.

On motion of Mr. Simon, it was ordered that S. B. No. 54 as amended be engrossed and printed and made special order with S. B. No. 55.

Mr. Siglin obtained unanimous consent to have inserted after the word "void" at the end of the first amendment of the report of the Judiciary Committee on S. B. No. 54 the words, "At the option of the Legislative Assembly of the State of Oregon."

The Chief Clerk was instructed to insert said words as requested by Mr. Siglin, which was so done.

Mr. Lee moved that S. B. No. 113 be made the special order for 10 o'clock A. M. next Tuesday, which motion prevailed.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 4, 1887. }

*To the Honorable the President of the Senate:*

I am directed by the Governor to inform you that he has signed the following bills:

#### HOUSE BILL NO. 33.

"An Act to amend Sections 9 and 10 of an Act entitled 'An Act to create the County of Klamath and fix the salaries of County Judge and Treasurer,' approved October 17, 1882."

#### HOUSE BILL NO. 19.

"An Act to incorporate the town of Myrtle Point, in Coos County, Oregon."

#### HOUSE BILL NO. 22.

"An Act to incorporate the city of Albina in Multnomah County, Oregon."

#### HOUSE BILL NO. 27.

"An Act to fix the salary of the Assessor of Multnomah County, Oregon."

And the same have been this day filed in the office of the Secretary of State.

WM. A. MUNLY,  
Private Secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 4, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted H. J. M. No. 4, relative to the Indian war of 1855–6 and pensioning the survivors of the Cayuse war.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Stanley, H. J. M. No. 4 was adopted by a unanimous vote—all voting aye.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 4, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 89.

And the same is herewith returned for enrollment.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 4, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. M. No. 8, memorializing Congress to pension volunteers in Indian wars.

And the same is herewith returned.

A. C. JENNINGS,  
Chief Clerk.

Mr. Simon, Chairman of the Judiciary Committee, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 4, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred S. B. No. 108, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, S. B. No. 108 was ordered engrossed for a third reading to-morrow.

Mr. Cartwright, on behalf of the Special Committee to whom was referred S. B. No. 83, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 3, 1887. }

*Mr. President*—Your Committee of Senators from Eastern Oregon, to whom was referred S. B. No. 83 with leave to report at any time, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that that it do pass with the following amendments, to-wit:

## FIRST AMENDMENT.

In line 8 of Section 10, printed bill, strike out the word "and" after the word "illegal;" strike out the semicolon and insert a perion.

## SECOND AMENDMENT.

Before the word "before" in said line 8 of Section 10, printed, insert the word and figures "Section 11."

## THIRD AMENDMENT.

In said line 8 of Section 10 of the present bill after the word "person" insert the following: "Who has purchased or had transferred to him any animal or animals specified in Section 10 of this Act."



## FOURTH AMENDMENT.

In line 9 of said Section 10 of the present printed bill after the word "any" insert the word "such."

## FIFTH AMENDMENT.

Sections 11, 12, 13, 14, 15 and 16 in present printed bill shall read respectively Sections 12, 13, 14, 15, 16 and 17.

## SIXTH AMENDMENT.

That the title of the Act be stricken out and that the following title be inserted, to-wit: "An Act to protect stock growers within the State of Oregon, and to provide for the appointment of an Inspector of Stock for the several Counties of this State, and for their several salaries, and to repeal an Act entitled 'An Act to prevent the spreading of contagious and infectious diseases among sheep,' approved October 25, 1880."

## SEVENTH AMENDMENT.

That there be inserted after the words "Stock Inspector" in line 12 of Section 10 of printed bill "or his deputy."

## EIGHTH AMENDMENT.

Strike out all that part of Section 10 beginning after the word "County" in line 12 of printed bill to and including the word "County" in line 14, printed bill.

## NINTH AMENDMENT.

After the word "illegal" in line 9 of Section 10, printed bill, insert, "*Provided, however,* that this section shall not apply to Counties west of the Cascade Mountains."

C. M. CARTWRIGHT,  
Chairman.

On motion of Mr. Cartwright, the amendments as reported in the above report were adopted.

On motion of Mr. Cartwright, the bill with amendments was ordered engrossed and printed and made the special order at 4 o'clock P. M. next Monday.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 69, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following amendments:

FIRST AMENDMENT.

Strike out all of Section (16) sixteen after the word "persons" in line (8) eight section (16) sixteen, printed bill, and insert the following in lieu thereof: on conviction thereof before any Justice of the Peace or other Court of competent jurisdiction in this State shall be fined not less than five dollars nor more than fifty dollars.

SECOND AMENDMENT.

Strike out all after the word "title" in line (4) Section (17) seventeen, printed bill.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, the amendments were adopted.

On motion of Mr. Simon, the bill was ordered engrossed for a third reading to-morrow.

Mr. Barin, Chairman of the Committee on Commerce, submitted the following

REPORT.

*To the President of the Senate and the Speaker of the House :*

Your Joint Committee, consisting of the Senate and House Standing Committees on Commerce, to whom was referred certain questions concerning the locks and water power at Oregon City, under House Concurrent Resolution No. 20, beg leave to submit the following report:

That we have visited said locks in person and examined the construction, strength and durability of the same, together with their auxiliaries of canal and breakwater.

We find that both the upper and lower series of locks are built of stone in a substantial and durable manner; that the gates are entirely new; that the breakwater and canal, or the two canals, are built of wood on a stone and cement foundation, and that the whole work is, to all appearance, in good repair.

The owners of the water power have come before this Committee and asked that the State define its policy now with reference to these locks. If it is the intention of the State not to buy the locks, they desire to be informed of the fact, so that they can safely go on and improve the water power; and if the State intends to buy, they request that the terms be settled now, instead of waiting six years, when the State's option to buy will mature.

If the State buys, the owners want to reserve the right to use the canals for power purposes, but in such manner that transportation shall not be interfered with.

If the State shall agree to surrender its option to purchase, the owners are willing to obligate themselves to keep the locks open to navigation in the same manner and on the same terms as they now are, and to make such improvement and changes only as shall in nowise interfere with or hinder navigation.

Your Committee are of the opinion that the interests of all parties will best be served by determining now, if the Legislature deem it advisable, all the questions involved, instead of waiting. The parties desiring to develop the water power are in such position that they can profitably to themselves do a great work in developing an interest which is of the very highest importance to the public at large—the manufacturing interest.

We cannot believe that the interests of this State would be subserved by surrendering either now or at any other time the right to buy these locks and make them free; but we believe it to be fair to the owners of the power that the State should at least define its policy, so they can go on and develop their property; and we are satisfied that the State's option to buy, six years from now, will be a great obstacle if unsettled.

Your Committee believe that if the locks and canals could be purchased from the owners at a reasonable price, that such purchase would be to the interest and benefit of the State.

On motion of Mr. Barin, 200 copies of the report were ordered printed.

By unanimous consent, Mr. Hare called up S. B. No. 161 and he moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn,

Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Siglin—2.

So the rules were suspended and the bill was read a second time by title.

Mr. Hare moved that the rules be further suspended and the bill be read a third time and placed put upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Cauthorn and Siglin—2.

So the rules were suspended and the bill read a third time, and the question being; "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Gray, Veatch and Weatherford—3.

So the bill passed, and the title of the bill stands as the title of the Act.

By unanimous consent, Mr. Bird, Chairman of the Committee on Corporations, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 4, 1887. }

*Mr. President*—Your Committee on Corporations, to whom was referred S. B. No. 137, beg leave to report that they had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following amendments:

#### FIRST AMENDMENT.

That Section 1 of said bill be stricken out and the following be inserted in lieu thereof:

SECTION 1. That the inhabitants of Grant's Pass, Josephine County, Oregon, and their successors, within the limits hereinafter prescribed, are hereby created and established a body politic and corporate by the name and style of the Town of Grant's Pass, and by the name and style shall have perpetual succession; the right to sue and be sued; defend and be defended in all the Courts of this State; to purchase, lease, receive and hold property, both real and personal, for the use and benefit of the inhabitants of the town, and may dispose of the same when it is for the common benefit to do so; may buy or construct ditches, dams, flumes, aqueducts and lay pipes to convey water into town for protection against fire; to supply the inhabitants with pure water for domestic purposes, and for other legitimate beneficial uses, and for this purpose may extend its works and own property beyond the limits of the incorporation, but for this purpose shall not have power to create a bonded indebtedness to exceed thirty thousand dollars; *provided*, that the proposition of issuing any bonds for any purpose whatever shall be first submitted to the qualified voters within the corporate limits, and no person shall be deemed a qualified voter for this purpose who does not have the qualifications of a voter within this State and who is not a resident property-holder within the corporate limits, and no bonds shall be issued except that a majority of all the votes cast shall be in favor thereof; shall have and use a common seal and may alter the same at pleasure.

#### SECOND AMENDMENT.

That Section 22 of said bill be amended by inserting before the word "This," the first word in first line of said Section, the following: "Inasmuch as it is necessary that the inhabitants of said town may avail themselves of the protection and benefit herein granted."

R. P. BIRD,  
Chairman.

On motion of Mr. Bird, the amendments were adopted.

On motion of Mr. Miller, S. B. No. 137 was ordered engrossed and made a special order for 7:45 o'clock this evening.

By unanimous consent, Mr. Miller, Chairman of the Committee on Railroads, submitted the following

#### REPORT.

SENATE CHAMBER, }  
SALEM, February 4, 1887. }

*Mr. President*—Your Committee on Railroads, to whom was referred Senate Bills Nos. 23 and 78, beg leave to report that they have

had the same under consideration, and would respectfully report them back to the Senate with the recommendation that Senate Bill No. 166 herewith introduced be substituted in lieu thereof.

H. B. MILLER,  
Chairman.

On motion of Mr. Miller, the report was adopted and the substitute made S. B. No. 166, being a bill for an Act to establish a Board of Railroad Commissioners.

Mr. Miller moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Cartwright and Shupe—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Miller moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Cartwright and Steel—2.

On motion of Mr. Coleman, S. B. No. 166 was ordered printed, considered engrossed and made a special order for 11 o'clock A. M. Tuesday next.

Mr. Barin, Chairman of the Special Committee to whom was referred the investigation of the charges against Senator Wager, submitted the following

#### REPORT.

SENATE CHAMBER, }  
SALEM, February 3, 1887. }

*Mr. President*—Your Special Committee on Senate Resolution No. 15, to whom was referred certain charges against Senator J. P. Wager and to examine witnesses, beg leave to report that they have

taken the testimony of the witnesses in said matter and had the same under consideration, and would respectfully herewith transmit said testimony to the Senate with the recommendation that said testimony be spread upon the Journal of the Senate, and that no further action be taken by the Senate in the matter.

L. T. BARIN,  
Chairman.

In the matter of the investigation against Senator Wager.

#### CHARGE.

That the said Senator Wager, while a member of the State Senate of Oregon, at the Session of the Legislature of 1887, was guilty of conduct unbecoming a Senator or a gentleman.

#### SPECIFICATION.

First—That between the 10th and 20th day of January, 1887, Senator Wager, while holding the position of State Senator of Oregon, did publish in a newspaper of which he is editor and proprietor, certain false and malicious charges against Senator Chandler of Baker County, Senator Hamilton of Grant County, Senator Stanley of Jackson, Senator Rinehart of Union and Senator Siglin of Coos and Curry.

Second—That in a certain communication written to the East Oregonian and published in said paper, between the dates aforesaid, and while said Wager was a member of the State Senate as aforesaid, the said Wager did refer to certain members of the Senate as a "ring," intending to be understood, and being understood, that certain corrupt combinations were formed by Senators for corrupt purposes.

Third—That in the communication last aforesaid he did say that his position in the Senate prevented him from saying much more; "that he knew some things and believed others," intending to be understood that there were corrupt combinations among members of the Senate, and that Senators named in said communication were in said "ring," or corrupt combination; that such facts were within his knowledge, all of which was false, malicious, and libelous.

Fourth—That in a certain communication to the said newspaper the said Senator did write the following: "That his reference to the 'Democratic contingent,' was intended to refer to the five Democratic Senators aforesaid." "One thing is sure: Pennoyer is no sycophant, no hypocrite, no tool; and of his uncompromising honesty, inflexibility of purpose there is no doubt. With all these qualities, however, he can really accomplish very little. The Legisla-



ture with its Republican majority and Democratic contingent to take the place of Republicans who are willing to break over party lines to serve the people, is against him, and will be against him in every effort for the better things, and such laws as they pass, and not others, can be executed." That all of that part referring to the position of said Democratic Senators toward Governor Penneyer is willtully, maliciously and libelously false, written without evidence of the facts, and for the purpose of injuring the said Senators. That the said Senator Wager had no knowledge of any facts sustaining said libel, no knowledge or evidence of any kind that any or all of said Senators were not in harmony with the Democratic State administration, nor how they or either of them would vote on any proposition now pending or to be brought before this session of the Senate.

Fifth—That Senator Wager suffered, caused and instigated to be published in his said paper, between the dates aforesaid, the following false and malicious matter, to-wit: "Hamilton, Chandler and Rinehart, (Democratic) Senators from Grant, Baker and Marion Counties, respectively, deserve credit for their untiring zeal in the interests of the corrupt Republican ring."

Sixth—That the said Senator Wager caused and instigated to be published in his said paper and under his name as editor, the following: "From all accounts from Salem the united efforts of Union County's Senator don't amount to much. Both Senator Rinehart of Union County and Senator Chandler of Baker County have a love for Siglin, Simon and the rest of the Republican gang, including free rides on railroads. People of Union and Baker, wake up and get after your Representatives with sharp sticks." That all of the matters and insinuations contained in said article were false.

Seventh—That between the dates aforesaid there was published and circulated, without expostulation from the said Senator Wager, another slanderous article in his said paper, and under his name as editor, a grossly slanderous article, designated Senator Hamilton as a gambler, and applying vile epithets to other members of this Senate. That said article was written either by Senator Wager or at his instigation by one there and still in his employ.

Eighth—That all and each of the articles referred to in the specifications aforesaid were either written by Senator Wager or inspired by him by what he did write in letters and communications to his said paper or to his employes, and were written by an employe then and now in his service in said newspaper office, and that such as he did not write were in line and in harmony with such as he did write.

In the matter of the investigation of charges against Senator Wager:

I, J. P. Wager, member of the State Senate of Oregon, having



been charged with conduct unbecoming a Senator or a gentlemen, herewith file the following answer and defense to said charge and to the specifications alleged:

ANSWER AND DEFENSE.

First—The first specification is wholly denied. I deny that I published any false and malicious, or false or malicious charges against Senator Chandler of Baker county, Senator Hamilton of Grant county, Senator Stanley of Jackson county, Senator Rinehart of Union county, or Senator Siglin of Coos and Curry counties; or against any or all of said Senators, or any Senators, or anybody.

Second—I deny that in any communication written by me to the East Oregonian I referred to “certain members” as a “ring;” but admit that I did allude to Senators Siglin, Chandler and Hamilton as supporting, in my estimation, as far as a single vote spoken of would indicate that fact, “ring rule Republicans;” said words “ring” and “ring rule” being quoted, and intended to mean what I believed was generally talked of and understood among the people of the State at large.

Third—I admit the third specification, as explained in the preceding clause, except the last clause, and deny that such statements were false and malicious, or false or malicious.

Fourth—I admit that I wrote the quotation contained in specification four, but deny that there is therein any allusion to particular Senators by name or other description, but only in a general way to such Senators as by common report might be reasonably presumed to be vulnerable to such criticism.

Fifth—I deny each and every allegation in the fifth specification.

Sixth—I deny each and every allegation in the sixth specification.

Seventh—I deny each and every allegation in specification seventh.

Eighth—I deny each and all the allegations in specification eighth, except as hereinbefore stated.

J. P. WAGER.

SENATE CHAMBER, SALEM, Oregon, January 26, 1887.

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Senate Committee on Resolution No. 17 met on January 27, 1887, at 9 o'clock A. M. of said day; called to order by the Chairman, Senator Barin, when the following proceedings were had: The specifications of Senator Siglin against Senator Wager were read and the answer of Senator Wager thereto was read, after which Mr. J. C.

S. Richardson was sworn as Clerk to take down the testimony in this matter.

Senator Siglin appearing in person; Senator Wager appearing in person.

First witness called on the part of the investigation C. S. Jackson, who was sworn to tell the truth, the whole truth and nothing but the truth, when he testified as follows:

#### TESTIMONY OF C. S. JACKSON.

C. S. Jackson being first duly sworn testified as follows:

#### DIRECT EXAMINATION

By Senator Siglin:

Question. Have you the papers and letters and telegrams called for by the subpoena?

Answer. I have.

Q. Will you produce them?

A. This is the correspondence I have received from Mr. Wager since he has been away. These are the papers from the 1st to the 20th.

Senator SIGLIN. That is all I care about till the 10th—from the 10th; that is all I wish to offer. I wish to have time to examine them, and introduce them for what they are worth, subject to objections afterwards, so as to give me an opportunity to examine them. I could not examine them to-day, and I will proceed with the evidence.

Senator WAGER. I have no objection.

Q. What relation does Senator Wager bear to the East Oregonian?

A. When he is at home he is editor of the paper.

Q. Does the paper carry his name as editor?

A. No, sir.

Q. Is it generally understood in the community that he is editor of the paper, and throughout the State?

A. He is known as the editor. So am I sometimes called the editor. I have owned the paper longer than Mr. Wager had any connection with it at all. I bought the paper myself.

Q. Will you state who was the author of the following: "Hamilton, Chandler and Rinehart, (Democratic) Senators from Grant, Baker and Union Counties, respectively, deserve credit for their untiring zeal in the interests of the corrupt Republican ring?"

A. I wrote that.

Senator WAGER. I don't like the form of the question, although

I don't intend to object particularly. If the question is whether I am the author I have no objection, but as to who is the author I don't see that it has anything to do with the investigation. I don't see that Mr. Jackson or any other person is on trial except myself.

Senator SIGLIN. The question is, it was published in a paper of which he is known to be the editor and I want to know who the author of it is, to go into the investigation to find where the responsibility lies. Then I expect to show that if he is not the author of it and if he read the papers afterwards and did not disavow it he made it his.

Senator WAGER. Although it is not a proper question I shall not object.

A. I wrote the article.

Q. Did it appear as editorial?

A. It did.

Q. Upon what information were those charges based, and from whom derived?

A. I got them from personal observation. I traveled around the country some myself.

Q. On what vote or action in the Senate if any were they based?

A. On what vote?

Q. Vote or action in the Senate were they based?

A. They are not based on any particular vote of the Senate. I had nothing to do with the Senate.

Q. Are you in possession of any facts, or were you at the time you wrote this in possession of any facts that indicated anything dishonorable, or that would in any manner impugn the honor of either of those gentlemen; if so, from whom derived?

A. I perceived that they hadn't taken any interest in any matters pertaining to our section of the country—is what I based the charges on; and I had some talk with parties that had had talk with these same Senators and they had also caused me to write those items. That item was written in reply to a little item that appeared in the Mountain Sentinel. It was on top of that item—that editorial comment—that appeared under the item of this Mountain Sentinel.

Q. Has not your paper, or the paper of which Mr. Wager is the assumed editor, persistently attacked the honor of all of the Senators—of all of the Democratic Senators from Eastern Oregon?

A. Not all of them.

Q. With the exception of Mr. Wager himself?

A. No, sir.

Q. Wait for the question. Including the Senator from Jackson County and Coos and Curry?

A. Never referred to the gentleman from Jackson County at all. If you refer to Mr. Stanley, I never mentioned a word about him.

Q. Were you in possession of any facts or are you now, that show that Senator Siglin of Coos and Curry has been guilty of any improper conduct in forming any combinations, corrupt or otherwise, with any other Senators at the Session of the Legislature or at any time?

A. I have no facts that I can produce, only the facts that I have gathered from talking with people and those kind of observations. That is all I have; I have no written fact, no proof which can be obtained.

Adjourned till 1 o'clock, January 28.

ONE O'CLOCK P. M.,  
January 28, 1887. }

Same parties present excepting Senator Barin, who was absent on leave.

Examination of witness C. S. Jackson resumed.

Question. From your last answer, then, I understand that you are in possession of no facts justifying any abusive articles appearing in your paper against either of the Senators named. Am I correct in this?

Answer. I have facts ample enough to justify the articles.

Q. State the facts, and from whom obtained.

A. The facts are those that have been published for quite a long while in different papers and from personal observation; from talk with different individuals.

Q. In what paper have you read any charges against Senator Siglin impugning his honor as a Senator, and in what connection?

A. I don't know of any particular paper I read anything particular impugning his honor. I have read in different papers his connection as I connected his name in our paper.

Q. In what paper or upon what particular note or measure have you heard at any time his honor impugned?

A. I didn't say I had impugned his honor. I haven't heard that his honor was impugned. I haven't read in any paper that his honor was impugned.

Q. In your paper in mentioning the "Democratic contingent," to whom do you refer?

Objection by Senator Wager.

Objection overruled.

A. The "Democratic contingent" when it was mentioned, it was

mentioned in quotations. When that was mentioned I didn't name the parties I referred to whatever. I had seen in the Oregonian and other papers.

Q. What other papers?

A. I don't remember—my exchanges. I could bring them here and show them to you if you wanted them. Senator Siglin's name was mentioned in connection I think Mr. Rinehart. Those are the only two names I saw mentioned in connection with the articles in other papers. I saw letters, one letter particularly, written by a Salem man, that had reference to it; didn't mention names; and from those sources and from personal resources gathered by talking and parties from Salem, and in some correspondence I had with friends I gained information on which the articles were based.

Q. From whom were those letters, and what charges did they make against Siglin?

A. Didn't mention Siglin's name at all.

Q. What charges did they make against any of what you call the "Democratic contingent?"

A. As I said before the Democratic contingent wasn't any authorship of mine. I only put that in quotations when I used that term "Democratic contingent." I think you will find those items too in quotations. I think I got it out of the Oregonian. I don't remember particularly.

Q. Is it not a fact, then, that the only letter or letters, in which you got the idea of mixing the name of Senator Siglin came from Senator Wager?

A. No.

Q. Is it not a fact that you did write other articles not contained in these specifications in which you applied abusive names or vile epithets to members of this State Senate, nicknaming them?

A. I don't know whether they were abusive. They were named by names that didn't particularly belong to them. That was outside of these specifications though. They wasn't very abusive names. I have had them applied to me very often.

Q. Did you regularly send copies of these papers to Senator Wager?

A. I didn't send them. The mailing clerk did. His name is put down as a subscriber, just the same as any other man.

Q. Did you not each week receive letters from Senator Wager?

A. I received two or three letters. I brought them with me. They are here. The first letter I received I didn't. I lost it, or threw it away before I came. That is the only letter that had anything in reference to anything pertaining to these matters at all, and in that he only spoke of a blizzard. He thought it was a bliz-

zard for parties in Eastern Oregon—that is what he said. I knew Rinehart for many years; have known him quite a long while; had a talk with him before he left Pendleton. He promised to help us in matters pertaining to our section and he (Wager) wrote that it was pretty cold down here for him and his interests, and that was all. He mentioned no names in that letter at all. I tried to find it before I came. It was only a letter of a private nature, and I didn't keep it; didn't file it away at all. I filed all the rest of the letters after I saw it was apt to be brought up; that I might need them and filed them. If I had that I would be willing to show it.

Q. Did Senator Wager in that letter impugn the actions of any of the Senators as such?

A. I don't think you could make it impugning the actions. He only said that he hadn't been put on any of the committees, and he couldn't understand it. Didn't seem to be any ways mad about it at all; wasn't as mad as I would have been.

Q. Did he in any of those letters use the names of any of his co-Senators; if so, whose?

A. I don't remember of anyone in particular except Hamilton. He mentioned him; that is all. Your name wasn't mentioned in that connection whatever. He only mentioned the Senators that I knew personally, at any time in his correspondence, because he knew I had never met you. I knew Mr. Hamilton quite a while; Chandler, too. I have known his father, but don't know him; never met him.

Q. Did Mr. Wager, in any letter received by you, in any manner show any disapproval of the course of the East Oregonian in the abuse of Democratic members of the State Senate?

A. No; he didn't.

Q. Had you any idea, from any source, but what your article were in exact harmony with what Mr. Wager desired them to be?

A. I didn't think he would object to them very much. I own a majority of the stock in the publishing company and I had something to say myself.

Q. You being an entire stranger to me and some of the other Senators mentioned, what personal motive could you have had in the abuse and the dishonorable connection in which you placed us?

A. I don't consider it dishonorable connection whatever.

Q. Belonging to rings and combinations?

A. The Oregonian charges you with the same thing, and you have never seen fit to deny it.

Q. The Oregonian wasn't a member of the State Senate.

A. And I am not.

Q. But Senator Wager is.

A. He is able to stand up for his rights in any connection.

Q. Then I understand his cause of complaint was that he didn't get as prominent positions on Committees as he desired.

A. He didn't get the position that he ought to have had as a representative of Eastern Oregon. That is what I said.

Q. What position is that?

A. I should think he ought to have some representation on a question of great importance to us, and that was the railroad interest.

Q. In that letter, whose course was criticised? and was it in relation to the vote giving the President the authority to appoint the Committees?

A. In that letter there was nothing said whatever about that.

Q. In what vote of mine, now or any at time, did you think the interests of Eastern Oregon were neglected or injured?

A. The first time I remember of ever hearing your name mentioned in connection with anything against our interests was the last Special Session, if I remember correctly. I read the Oregonian very closely, and am pretty well acquainted with them myself; the writers are personally known to me, and for different reasons I read the paper closely; and it was in the Mitchell contest that I first become—knew that you were from Coos and Curry and that you were a Democrat. There is a young fellow used to work in our office by the name of Upton. Maybe you know him. He also told me—just in a personal way told me. I don't remember what the words were or anything about that; but, anyway, I got acquainted with you through him and through the Oregonian. I looked upon you as a man particularly advocating your own interests, and rather of your own mind, anyhow; wasn't a particular party man, and that you voted against the Democratic party as readily as you would against the Republican party. Naturally I classed you with the ring through my—through the information I gained from the Oregonian and the other sources. It may have been just and right, or may not have been; the future will reveal that. I didn't feel like making a personal trip to you and asking you if it was so. I didn't think it was necessary. Newspaper men really want something startling more than anything else. We try to be as truthful as we can, and don't criticize unless we have cause. Sometimes we find we are mistaken, and in that case we are willing to retract. If it turned out to be so in this case I wouldn't mind telling that you were a decent kind of a person after all; but I don't know whether my mind is changed or not. I don't want to accuse a man without having any reason for it; I don't like that principle. I had a talk with Rinehart. He seemed to be somewhat hurt about it, but I don't believe I will take anything back that I said about Rinehart.



Q. Then the attack upon me but for your information from the Oregonian wouldn't have been made in the East Oregonian?

A. No; I don't believe it would. I wouldn't have been any ways posted on your acts or anything about it. Their criticism somewhat misled me, if it misled me at all. I never heard Wager say anything about you. I never received a word from him that you were in any ways a rival or enemy of his; never intimated it. I don't remember as he ever spoke to me on this subject at all.

Q. We were strangers. I always regard a stranger as a friend till the attacks are made.

A. Mostly people like strangers better than they do friends. It wasn't done for malice though. I deny that, because I never wrote a line against a man because I disliked him, in my life. I never write a line about a man that I dislike for that reason—that people will attribute it to malice.

Q. How long has Mr. Wager been connected with the East Oregonian?

A. I think since August, 1883; may be sooner—little sooner—I don't remember exactly—'82—August, '82. He is President of the Publishing Company.

Q. Is he not generally understood throughout the State to be the editor of the paper?

A. Well, a good many articles have been copied and attributed to him that I really wrote, and sometimes articles have been attributed to me that he wrote. We keep no names at the head of the paper. We don't consider it necessary, never do. The Company is supposed to be responsible for anything that is said in the paper derogatory to a man's good name, and we have always made it a principle to retract if we made a mistake. If we found out we were wrong we were just as willing to acknowledge it as you are when you find out you are wrong.

Q. Has the attack upon me and that of the other gentlemen named during the present session been based upon any action of ours during this session?

A. I can't say there is particularly—some of the members—you don't occupy the same position as they do. I can't answer it collectively. Rinehart, his action in this Senate did draw some of the criticism, but I don't think that the criticism in his case was severe or any ways out of the way. He doesn't consider it such. Mr. Wager's letters that he wrote I read, and they simply made me write a little more that I would otherwise have been willing to, because I knew that when he talked a little he meant a great deal.

Q. Is it not a fact that you got your cue, as it is termed, from the letters that he wrote?

A. Well, I should think I did—yes. I believe he considers that



I did—I think what was published—that I got some of my information through his letters—through the letters that I published in the papers and which you read. From them I got the information you were a Mitchell Democrat—through these letters.

Examination by Senator Wager:

Q. Have I been the author of anything whatever, directly or indirectly, that has been published in the *East Oregonian* since the 10th day of January, 1887, except such as was signed by my initials, "J. P. W."?

A. No; I don't believe you have—only in this connection, if you hadn't written those letters to the papers no doubt I wouldn't have written some articles that I wrote. That is a question hard to answer. I might have been apt to mention Siglin anyhow.

Q. Was this letter you speak of about the Committees a strictly private letter or for publication?

A. Strictly private letter. It was in answer to one of my letters I had written about some private business. Wasn't meant for publication at all—not the least bit—neither did I use any matter in that letter in any publication. I thought it was not proper to do so.

Q. And whatever you have written was not from personal malice against any of these Senators that are spoken of?

A. Not a word—not a particle. I knew all the Senators mentioned except Mr. Siglin.

Q. What you did write, was it not written from a sense of public duty as the editor of a newspaper?

A. I felt it that way; I always did have nicknames in our paper; it is probably a habit with us Oregonians. My particular friends I call slableg, and all those kinds of things.

Q. Was it not generally understood and talked among people where you reside that the vote on the organization of the Senate was evidence that the Senators who voted—the Democratic Senators who voted for apportionment of Committees by the President did so in consequence of agreement, a preconcerted arrangement with the Republican managers against the interests of the people? I simply ask whether that was generally understood and talked?

A. That was the prevailing impression and talk around the office and around town; has been since I have been here too.

Q. Is it not a fact that I have frequently been absent for a week or several weeks at a time since my connection with the paper?

A. Yes.

Q. During any of those absences or during this absence have I ever instructed or directed or controlled you in any way as to what you should write or publish in that paper other than by the letters which I have written for publication?

A. You have not.

By Senator Weatherford:

Q. Who owns the paper?

A. I own the largest amount—of any one person—of stock. I bought the paper all myself at first, and then he came in with me afterwards.

Q. Was the paper run by a Board of Directors?

A. Yes, sir.

By Senator Wager:

Q. State in that connection the relation you bear to that company besides.

A. I am really the manager of it, and have the financial part of it on my hands; always looked out for it financially and other ways, and when Wager was away I had editorial charge of the paper also, and while he is there I do a great deal of the work. He doesn't confine all of his time to the paper for the reason it wouldn't pay him. He gets a certain salary while he is at home, and I get a certain salary all the time, and I am looked upon as having sole control of the paper, in nearly every connection, you may say.

C. S. JACKSON.

#### TESTIMONY OF SENATOR SIGLIN.

Senator Siglin, being first duly sworn to tell the truth, the whole truth and nothing but the truth, testified as follows:

First, in regard to the charge of any combination between myself, Senator Rinehart, Senators Stanley, Chandler and Hamilton with any Republican Senators as to the organization or the formation of the Committees prior to the introduction of the Dawson Resolution, they are entirely groundless. I had discussed the matter with no one and formed no combination except the discussion in the Democratic caucus in presence of the Democratic Senators. All talk that I had with anybody, prior to that, was individual, desultory talk, as men will have upon a subject concerning the organization of the Senate. I was from the first anxious that the organization should fall on that part of the Republican party which I regarded as friendly to me personally rather than that faction which I regarded as unfriendly to me personally. But I had never discussed the matter jointly with any other Democratic Senators or jointly with any Republican Senators by or in which any agreement was suggested or conclusions arrived at. The introduction of the Dawson Resolution taking the appointment of the Committees out of the hands of the President was a complete surprise to me. I saw that the Republicans were splitting up upon the question, and I believe that we would have a fairer show as Democrats upon the Commit-

tees by appointment by the Chair than by appointment by the Committee suggested. On the Committee suggested there were but two Democrats, both neighbors from the Willamette Valley; one of whom had never served but one day in the State Senate; and there were three Republicans, but one of whom, as I am informed and believe, voted for Carson in caucus; and I believed and do believe that, had that Committee been appointed, it would have been entirely under the Oregonian and Judge Boise; and I believe that in any winter picnics, so called, the name of Siglin would not have appeared once; and that I was to have had neither a position on the Judiciary Committee, nor upon any leading Committee in the Senate, but believed that, if they ever got the power, and still believe it, they would punish me for deciding, as I believe I did, the Senatorial election for them, which they appeared to be unable to decide for themselves. After they showed their muscle, and the Democrats split up as near even as we could split without killing one, then I took a decided interest in making it win, that is, in making the position which I took win, and the fact that it was successful I believe to be the cause of this whole attack upon me or my colleagues.

Another objection I made to the appointment of said Committee was that there were a number of old Senators here, I myself having been here since '80, and yet two-fifths of that Committee was composed of Senators who had never sat in this body or in any other Legislative body to my knowledge, for but one single day, ignoring us older ones for men with the smell of the ploughed ground scarcely from their feet; all of which I considered very unfair. And the Resolution coming from a new member was unusual, and showed a job. What I mean by a job is a preconcerted action outside of the Legislative Halls; and that these are the reasons for the "Democratic contingent," as the Oregonian and East Oregonian call it, combining with the Republican scavengers—also using their poetical language. So far as any combination or understanding as to preconcerted action upon any bill, bills or measures before, or to come before the Senate, is concerned, that is entirely without foundation, and they will be entirely unable to show a scintilla of evidence, unless it is perjured evidence; but the line between libel and perjury is not very thick, in my opinion. That explains my entire reason for the course which I took, and consider the reasons perfectly ample to me. In a contest between Republicans and Democrats where there was any possibility of a victory in sight, I never faltered for twenty-four years, and I have always lived where my party was in a decided minority politically. That is all.

Examined by Senator Wager:

Q. Then I understand from your statement, taken as a whole,

that your action and your vote in the matter of the organization of the Senate was wholly with regard to obtaining some personal advantage or to win or keep the friendship of Republican friends without regard to public interests ?

A. No, sir ; but I believed, first, that the Republicans with whom I acted were fairer men as a whole than those with whom Wager acted ; secondly, I believe that if that party or faction were successful that I would be ignored as far as possible upon the committees, and I am the oldest Democratic member of this Senate and that a man would be placed upon the positions where I naturally under the rules generally governing, and the courtesies generally governing the assignment of new members and old members, would be rejected for new members, because that faction could use them ; and I have since come into possession of facts that confirm the correctness of that opinion. I believed that my experience of seven years in the Senate would be worth more than a man of equal ability with an experience of but one day, upon committees, and I, like most men, love my friends better than I do my enemies. I think that evidence fully explains my motives. So far as the combination is concerned, or charges to that effect, they are entirely false. My opinion and my actions were my individual opinions, and controlled only by myself. The charges as to Joe Simon combining with me or me with him—I haven't spoken to Joe Simon concerning the formation of the committees nor concerning any bill that was to be introduced, or any other measure that was to be presented at all. Personally I am very friendly to Mr. Simon, but that is all. On measures we don't generally agree. So far he and Mr. Wager have agreed better as the records will show, but Wager sits closer to him.

J. M. SIGLIN.

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7:30 P. M.,  
TUESDAY EVENING, February 1, 1887. }

Committee met and was called to order by the Chairman, Senator Barin.

Present same as before.

#### TESTIMONY OF SENATOR WAGER.

Senator Wager was called as a witness on the part of the investigation and being first duly sworn to tell the truth, the whole truth and nothing but the truth, testified as follows:

Examined by Senator Siglin:

Q. Mr. Wager, who is generally, commonly understood to be the editor of the East Oregonian?

A. I suppose I am.

Q. Have you read the East Oregonian containing the charges and the extracts alleged in the specifications filed by Senator Siglin in this investigation?

A. I am not sure whether I have seen every copy of the paper or not. I think I have read all of those extracts either in that paper or in the Oregonian; I believe so. There are one or two numbers that I missed, and I am not sure but that number might have contained some of them.

Q. Have you in any public manner prior to the institution of this investigation in any manner repudiated the same?

A. I have repudiated the authorship of some of them.

Q. In any public manner prior to this investigation?

A. I have.

Q. When, where and to whom?

A. On the floor of the Senate, about the 20th or 21st of January. I stated that I was not the author of anything except what appeared over my signature, which the papers would show.

Q. Was that not after Senator Siglin had taken the floor and called the attention of the Senate to the matter contained in the East Oregonian?

A. Yes, sir; in no other way or manner have I particularly or publicly repudiated them.

Q. In your denial of allegation three you say: "I did allude to Senators Siglin, Chandler and Hamilton as supporting, in my estimation, as far as a single vote spoken of would indicate that fact, 'ring-rule Republican,'" to what vote of Senators Siglin, Chandler and Hamilton did you allude?

A. Vote on the organization of the Senate.

Q. On what resolution or motion?

A. Several of them—two or three occurred perhaps; but particularly upon the question as to the manner of appointing Committees might have come up on more than one vote—perhaps two or three different votes.

Q. In all votes excepting upon the Dawson Resolution, up to that date, didn't Senator Siglin and Senator Wager vote identical?

A. I think so; as far as I can recollect.

Q. By whom was the Dawson Resolution introduced—by a Republican or a Democrat?

A. They call it the Dawson Resolution. I believe it was introduced by Dawson. I am not positive about that, though I understand Mr. Dawson to be a Republican. That is, I suppose, what you want to get at. He is so reputed.

Q. Then Mr. Siglin voted against a resolution introduced by a Republican while Senator Wager voted for a resolution introduced by a Republican—is not that the fact?

A. That is the fact.

Q. How did the Republicans divide upon that resolution?

A. Two votes—there were two—perhaps more than two—two at least different resolutions.

Q. On the Dawson Resolution I am questioning now?

A. The first one.

Q. Yes, sir.

A. I can't remember; I have never looked at the record; I don't remember; I didn't notice particularly; had no thought about Republicans or Democrats especially, at the time nor since.

Q. You say you had no no idea of Republican or Democrat entering into the question?

A. Not at the time the vote was taken so as to notice it at that time; I don't think I did; I don't remember that I did. I thought of that afterwards, so far as the Democrats were concerned, but even then not particularly, as to Republicans that I know of.

Q. How did the Democrats divide upon that vote as to numbers?

A. That is a question I cannot particularly answer, on what the vote was. It comes to another question as to what the definition of Democrats is.

Q. Is it not a fact that five Democrats voted one way and six another, counting eleven Democrats in the Senate?

A. As the Democrats, as those were generally termed and classed as Democrats, have been commonly and publicly understood, that is the case.

Q. Do you consider yourself any better Democrat than Rinehart, Chandler, Stanley and Hamilton?

A. I am not in the habit of making any comparison between myself and other gentlemen as to whether I am better or worse than they are.

Q. Who did you mean by the "Democratic contingent" referred to in your letters? Please name them.

A. Please correct the question first; then I will answer. You say "letters." I think I used that term once, and only once. I wish to have the—I don't wish to have any inaccuracies in the question. If it does occur more than once I don't know it; I think not but once, though.

Q. To whom did you refer as the "Democratic contingent" in any letter or letters written by you?

A. At the time of the writing of that phrase I don't suppose that I had any particular individuals in view at all, but only a gen-



eral idea of any Democrat or Democrats that had or might in the future probably, judging from past circumstances, co-operate with a certain few Republicans in certain ways. I want to go a little further in explanation. I don't think I have quite answered the question; though, if the question had been put to me, I presume I might have mentioned Senators Siglin and Chandler, and possibly Hamilton.

Q. Did Senators Siglin, Chandler, and possibly Hamilton, vote any different from Senator Stanley and Senator Rinehart on any question in the organization of the Senate?

A. I think not; I am not sure; I think not.

Q. By what authority did you state that the Senators referred to as the "Democratic contingent" were against Pennoyer, and would be against him in any measure that he would bring up for the public benefit, and publish the same over the country?

A. The only answer, the only firm answer that I can give to that is, not by a very direct answer. I was writing what I wrote as a newspaper correspondent, really without any consideration particularly as to my position as a Senator; and that simply was not intended, nor do I suppose anyone ever considered it as such, to be intended as a positive assertion at all that such was the case; only as newspaper men almost invariably do as a sort of a possible prediction.

Q. Did you know of any misunderstanding between any of the gentlemen named and Governor Pennoyer, or that any of the gentlemen named were not in harmony with any recommendation of Governor Pennoyer for the good of the State?

A. None; unless all their past public acts and words were taken into consideration.

Q. Do you know whether Senator Siglin and the gentleman referred to in their past votes differed from the opinions of Governor Pennoyer on the same subject?

A. I don't; except judging by the same rule.

Q. To what particular vote of their past record do you refer?

A. I don't refer to any particular vote.

Q. Did you not write a private letter to the editor of the East Oregonian, or to the sub-editor of the East Oregonian in your absence, complaining of the course of the gentlemen referred to as the "Democratic contingent" by which or from which Mr. Jackson, the sub-editor of the East Oregonian, took his cue to abuse and malign the said Senators?

A. No, sir.

Q. Is it not a fact that you wrote a certain letter to the said Jackson, which now purports to be lost, in which you referred to

these gentlemen and in which you stated a cyclone had struck Eastern Oregon?

A. Not that I remember.

Q. Did you not write a letter to him in which you complained of the treatment that you had received in the appointment of the Committees?

A. I think I can hardly call it complaining at all; I merely mentioned the fact—mentioned a fact; but of course, if you wish to get at what I wrote, I can state it. I don't propose to acknowledge what your question would indicate always.

Q. What were the contents of the so-called lost letter?

A. As nearly as I can remember, so far as that topic is concerned, I said (This letter was written perhaps in the evening or the evening after the appointment of the Committees.) that it looked a little cold down here for an Eastern Oregon man, or something to that effect; I don't remember the language; that I thought there had been—I was going to use a word, but I don't think I used any such language as that—but I thought the substance of it was that certain men had been put upon Committees in one or two instances where our instances [interests] were very greatly at stake, and which I had been left off; and that it was done to show the people of Eastern Oregon, and to intimate to them, the people of the Counties I represented, that I was not to have any voice in those matters, or something to that effect. I don't pretend to quote the language at all. That was as much of a complaint as I made, and that was a private letter written to Mr. Jackson. It was never published, and no authority to publish it. I don't know as he ever showed it to anyone in the world. I also wrote a somewhat similar letter to another gentleman. He might have it. It probably could be obtained.

Q. You stated that the "Democratic contingent" would take or were ready to take the place of the Republicans. Will you state where any of the five gentlemen who voted differently from you indicated by any vote that they were ready to take the place of Republicans?

A. Of course it could not have been indicated by any vote except the one you have been talking about.

Q. In the one you have been talking about, didn't the five gentlemen referred to as the "Democratic contingent" vote to table a Resolution introduced by a Republican?

A. I haven't said that I referred to any five gentlemen as the "Democratic contingent," yet. It might as well be explained right here that that word was used once and as a quotation from what had been repeatedly printed day after day here in another paper. Everybody, of course, understands that.

Q. In what paper?



A. In the Oregonian particularly, and some other papers perhaps.

Q. Who did you understand by the "Democratic contingent" as published in the Oregonian or any other paper?

I understand from the Oregonian standpoint. It named five I didn't class as the Democratic contingent. My recollection is that was after I had used the term. At any rate, I certainly had no mental or possible reference to one or two of these gentlemen at the time I used the term.

Q. Didn't the one or two of these gentlemen to whom you didn't refer vote exactly as the three to whom you did refer?

A. Yes, sir.

Q. Is it not a fact that in that vote you voted for a Resolution introduced by a Republican, while Senator Siglin, Senator Stanley and all of the other Senators from Eastern Oregon voted against it except yourself?

A. Yes, sir.

Q. Then who was voting with Republicans—you or they?

A. We both voted with some Republicans, before the Republican caucus. Upon the first Resolution we voted that way. Mr. Siglin voted against the Republican Resolution, the Resolution introduced by a Republican, and I voted for it. On the final vote I believe all the Republicans voted together, if I recollect right, except possibly one—one or two.

Q. Was it not a fact that two—

A. Perhaps two, I am not sure.

Q. Do you not know that it is generally conceded all throughout Eastern Oregon that the editorials appearing in the East Oregonian reflect your sentiments?

A. I don't know that.

Q. Do you not think that?

A. I think that when I am at home and there is no mark to show the authorship, that perhaps that is the case. When it is understood that I am away I don't suppose it is so considered at all, except what I write over my own signature.

Q. Do you not believe that Jackson took his cue from what you wrote to write what he wrote?

A. I don't think he could have taken much of a cue from what I wrote; there wasn't enough of it; he might have done so to some little extent possibly.

Q. Do you not believe that he did so entirely, and have you not believed that all the time?

A. I don't, and have not.

Q. Is it not a fact that on the Dawson Resolution you voted for

a Resolution introduced by a Republican, while every other Democrat from the entire Eastern Oregon voted against it?

A. Yes.

Q. Had you any promise under the Dawson Resolution of any position on any Committee?

A. I had not.

Q. Do you not know that throughout the entire history of Oregon when the Democrats elected the President of the Senate that the Republicans always without exception permitted him to appoint the Standing Committees, and that they had always accorded him and them exactly the same privileges that Siglin and the so-called contingent wished to accord to the Republican President?

A. I have never looked up the history of that.

Q. Do you not know that in the Dawson Resolution the Democrats of all of Eastern Oregon and all of Southern Oregon were entirely ignored?

A. I don't know; that is, at the time I didn't know; and I have never thought particularly about it since.

Q. Do you know now?

A. I don't remember the names of the Committee now; I don't think I could state them that was named.

Q. Is it not a fact that all the Democrats upon that Committee were Irvine and Coleman, one from Lane and the other from Linn, both farmers and neighbors?

A. I remember that Irvine was one; I have no recollection as to the other; I don't remember which one it was.

Q. Do you know whether there was any man on it—any Democrat on it from Eastern or Southern Oregon?

A. I presume not if Irvine and Coleman were the ones.

Q. Do you not know that one of the Democrats on it had served in the Senate but two days when there were men here—Democrats here who had served six or seven years?

A. Yes; I suppose that is true.

Q. Suppose you had been in this Senate ever since 1880 and then there was a Committee appointed to appoint the Standing Committees and you were ignored, and a man put on to appoint the Standing Committees who had served but two days, would you not feel as though you were ignored to a certain extent and not like it?

A. I don't know how I would feel about it. I might think a man that had just come in the Senate and only been here two hours was a better man than one who had served eight or ten years or forty years, so far as that is concerned.

Q. Would you think that if applied to yourself?

A. Undoubtedly—probably not—a man generally has a very

good opinion of himself, and I am about the same kind of a man as the rest of them.

Q. Don't you think, if a Resolution of that kind, after you had served here seven years, was introduced, that you would oppose it if it ignored you and took a new man entirely?

A. Oh! I don't know; I might; I think I would be—if I thought it would be a good Committee and a proper measure—I don't think I would allow it to cross me. I might not be that unselfish, but I think I am. All that I ever cared, and what I wrote before about being left off all Committees was not out of any personal ambition. It was only in regard to interests that I wished to represent for the people that I represented. Very little I care where I go or what I do.

Q. Then I understand that you deny the responsibility for anything that appeared in the East Oregonian, except what appeared over your signature, while a member of this Senate?

A. I do; I had no more to do directly or indirectly either in the way of authorship or instigation or inspiration of a single line that has been written in the East Oregonian, except what has been signed "J. P. W.," than any other man in this Senate, not a particle, and have not intended to have.

Q. Did you regard that the vote of the five Democrats against the Dawson Resolution in any manner called their Democracy into question?

A. Well, I don't know as I can say that it did as to the Dawson Resolution. I referred to the other Resolution after a Republican caucus had agreed to go the other way. I thought it looked that way.

Q. Is it not a fact that the Democratic or Republican caucus was held after the Siglin Resolution was introduced and not before?

A. After what?

Q. After the Siglin Resolution was introduced and not before?

A. I had reference—I don't remember what that Resolution was.

Q. That the President should appoint the Standing Committees?

A. Well, I think my recollection is there had been some caucus held both before and after. What I had reference to was the Resolution introduced, I think, by Senator Weatherford as to the appointment of another Committee making the President of the Senate the Chairman of it—at that time, or an amendment, perhaps.

Q. That was an amendment to Siglin's Resolution?

A. I hardly remember about the particular time of the caucus, but I was under the impression the caucus was held—at least the caucus results were apparent in the vote, particularly upon that amendment.

Q. In the Weatherford amendment to the Siglin Resolution wasn't

the Committee to appoint the Standing Committees still a Republican Committee in its composition?

A. It was a majority Republican—yes.

Q. Then you thought it called the Democracy of those five Senators in question because they supported a Resolution by a Democrat in preference to supporting a Resolution introduced by a Republican, as you did? Is that correct?

A. I don't know as I am willing to say that I called their Democracy in question. That is a very uncertain sort of a phrase. I thought one way and they thought another. That is all there is of it, I suppose. I never thought they ought to go to purgatory or be hanged, or anything of that kind for voting different from me.

Q. Not unless they were well hanged. Senator Wager, did you mean to be understood in anything you said or wrote that you were in possession of any facts or had any knowledge which in any way indicated that Senator Siglin in any vote that he had given in the Senate had acted any way but conscientiously?

A. No; I don't think I intended as much as that at all; I simply probably meant to criticise very slightly the votes those---of some who voted differently from me perhaps---not because I thought I knew better than they; I don't think I would go to that extent to say I called their conscience into---that they were doing false to conscientious principles at all in what I wrote.

Q. In referring to the "ring" or their voting with the "ring," did you mean to infer or to be understood that they had entered into any corrupt combinations or any combinations upon any bills now pending or to be hereafter brought before this Senate?

A. No, sir; I don't think I did.

Senator Wager upon being asked by the Committee if he had anything further to say stated:

I perhaps will say just a few words in order to make my meaning plain, though I don't know as it is necessary. So far as the editorship of this paper is concerned I desire to say this: I bought an interest in the East Oregonian in '82; since that time I have been engaged in practicing law and in editing the newspaper. At various times during that time I have been away, once or twice east; several other times upon other journeys; a length of time from one to eight weeks in duration. During these times I have never attempted to control or to suggest anything that should go into the paper except what I wrote as a correspondent, and that has been the case since I have been here. Mr. Jackson was the proprietor of the paper when I took charge of it, and has the largest interest in it now of any one individual. And I allow him to run it just exactly as he pleases, just the same as though I didn't own a dollar's worth of interest in it. A little further explanation: While I don't wish to be

understood as particularly retracting anything either as to words or ideas that I have said, yet in justice to myself and to this Committee I wish to explain a little further that when I use certain terms such as "ring" and "contingent," which I possibly did, I think, but once, it was more because they were convenient words and had been used frequently, seemed to be common use, than with any special reference to any certain individuals or any certain actions of those individuals, and certainly without any reference to any future actions of those individuals. Such a thing I never had in view at all; still, as I said awhile ago, that I suppose that if I had been questioned when I wrote that language, I possibly would have mentioned Senator Siglin and Senator Chandler and Senator Hamilton. I desire to say why I think the only reason why I would have mentioned Senator Siglin and Senator Chandler was because they were elected as Democrats and voted for Mr. Mitchell for U. S. Senator. I presume that probably is about the only reason that I would have given. So far as Senator Hamilton was concerned, I suppose the reason that I would have given was that he was elected as a Democrat, came here as a Democrat, and yet all the way through the organization he voted with the Republicans—a very unimportant thing itself, of course, as to results, but it looked to me as though he was playing false to his party and to the people who sent him there, and that was written soon after that occurred, I suppose probably, and so I might have considered him in that category. So far as Senator Stanley is concerned I don't suppose I ever thought of him any more than I did of Senator Coleman or Senator Weatherford. I don't have any recollection that he ever entered my mind. I don't know as Senator Rinehart did at that time. He is a man I have been acquainted with a good while, and never had anything but most friendly feelings for him. I guess that is all the explanation I have to make.

By Senator Siglin:

Q. Were you aware that Senator Siglin before his election publicly announced to the people of his District that if the Democrats were in a minority and a Republican had to be elected, that he would support Mitchell as against any other Republican; that he told his constituents that both through public press and otherwise; that he was elected straight upon that issue?

A. I think I had heard that. I have heard it said lately, and I believe I had heard it some months ago, something to that effect. But I had myself rather favored the election of Senator Mitchell as against any other Republican and talked that way to Democratic Representatives two years ago, and some of them had represented to me and told me positively that they thought the time hadn't come when a Republican—the election of a Republican was

certain; and it was more upon that opinion and that evidence that I based whatever adverse opinion I might have had to that vote.

Q. Did you not know that in 1882 Senator Siglin supported Senator Mitchell for the United States Senate; that I went home, was renominated and re-elected after making that record?

A. Yes; I knew that.

Q. That being the case, do you regard that he in any way played false to his constituents in the course that he took afterwards?

A. No; I can't say that he did to his constituents—his immediate constituents.

J. P. WAGER.

On motion of Mr. Barin, the report was adopted.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 114, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following amendments:

#### FIRST AMENDMENT.

Insert after the word provision in line (6) six, Section (4) four of printed bill, the following:

SECTION 5. That if any person shall in any manner misrepresent the facts upon which the Clerk of the Court is authorized to issue the license mentioned in this Act, or falsely represents that he is a regular graduate of a reputable Medical College as in this Act provided, or exhibit a diploma purporting to be issued from a reputable Medical College, when in fact it was not so issued or which is in fact a forgery, which shall in any material manner misstate the facts, shall be guilty of perjury, and upon conviction thereof be punished by a fine of not less than one hundred nor more than one thousand dollars, or by imprisonment not less than six months or more than one year in the County Jail, and shall thereafter be prohibited from practicing medicine or surgery in the State of Oregon.

JOSEPH SIMON,  
Chairman.

## SECOND AMENDMENT.

Number Section (5) five of printed bill Section (6) six.

## THIRD AMENDMENT.

Number Section (6) six of printed bill Section (7) seven.

## FOURTH AMENDMENT.

Number Section (7) seven of printed bill Section (8) eight.

On motion of Mr. Simon, the amendments were adopted.

On motion of Mr. Lee, the bill as amended was ordered engrossed for a third reading to-morrow.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 3, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred S. B. No. 138, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following amendments:

## FIRST AMENDMENT.

Strike out all after the word "same" in line five of printed bill, and insert the following in lieu thereof: Shall be guilty of an assault with intent to kill, and upon conviction thereof shall be punished by imprisonment in the Penitentiary not less than five years nor more than twenty years.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, the amendments were adopted.

On motion of Mr. Simon, the bill as amended was ordered engrossed for a third reading to-morrow.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following



## REPORT.

SENATE CHAMBER,  
SALEM, February 1, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 111, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following

## AMENDMENT.

After the figure (6), in Section 6, insert the following: If the amount of such appraisement shall exceed fifteen dollars.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, the amendment was adopted.

On motion of Mr. Williams, the bill was ordered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Watts, Chairman of the Committee on Education, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 4, 1887. }

*Mr. President*—Your Committee on Education, to whom was referred S. B. No. 60, beg leave to report that they have had the same under consideration, and would respectfully report to the Senate S. B. No. 167 as a substitute for S. B. No. 60.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, the above report was adopted and the substitute reported made S. B. No. 167, being a bill for an Act to regulate the sale of spirituous, malt or vinous liquors.

Mr. Miller moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.



Absent—Messrs. Gray, Hare and Williams—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Watts moved that the rules be further suspended and the bill read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Gray, Hare and Williams—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Watts was considered engrossed, ordered printed and passed to a third reading to-morrow.

By unanimous consent, Messrs. Irvine and Dawson were excused from further attendance till Monday next at 2 o'clock P. M.

On motion of Mr. Veatch, it was ordered that when the Senate adjourn it adjourn to meet at 7:30 o'clock this evening.

On motion of Mr. Simon, it was ordered that nothing be considered this evening besides the special orders, except one report from the Committee on Education.

On motion of Mr. Siglin, the Senate adjourned.

### — EVENING SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators were found present except Messrs. Dawson, Gray, Hare, Irvine, Stanley, Veatch and Wager.

Mr. Steel, Chairman of the Committee on Engrossment made the following

#### REPORT.

SENATE CHAMBER, }  
SALEM, February 4, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 137 and 83, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

S. B. No. 137 was read a third time, and the question being, "Shall the bill pass?"

On motion of Mr. Miller a call of the Senate was ordered, and the roll was called with the following result:

Those present were:

Messrs. Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Gray, Hamilton, Looney, Miller, Shupe, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—20.

Those absent were:

Messrs. Allen, Dawson, Emmett, Hare, Irvine, Lee, Rinehart, Siglin, Simon, and Veatch—10.

On motion of Mr. Chamberlin, further call of the Senate was dispensed with.

Pending discussion of S. B. No. 137, Mr. Miller moved that further consideration be postponed and that it be made a special order next Monday at 4 o'clock, which motion prevailed.

On motion of Mr. Watts, Mr. Hare was excused from attendance at the evening session on account of sickness.

Mr. Simon moved that the rules be suspended and H. B. No. 113 be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Chandler, Cauthorn, Chamberlin, Dawson, Hare, Irvine, Siglin, Veatch—8.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?"

On motion of Mr. Coleman a call of the Senate was ordered and the roll was called with the following result:

Those present were:

Messrs. Barin, Bird, Coleman, Cartwright, Chandler, Dimick, Hamilton, Lee, Looney, Miller, Rinehart, Stanley, Steel, Wager, Watts, Mr. President—16.

Those absent were:

Messrs. Allen, Cauthorn, Chamberlin, Dawson, Emmett, Gray, Hare, Irvine, Siglin, Shupe, Simon, Veatch, Williams, Weatherford—14.

The Sergeant-at-Arms was ordered to bring in the absent members, which was so done.

On motion of Mr. Stanley, further call of the Senate was dispensed with.

The roll upon the passage of H. B. No. 113 was then called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—Messrs. Barin, Dimick—2.

Absent—Messrs. Dawson, Hare, Irvine, Siglin, Veatch—6.

So the bill was declared passed.

On motion of Mr. Simon, it was ordered that when the Senate adjourn it adjourn to meet next Monday at 2 o'clock P. M.

Mr. Simon moved that the rules be suspended and H. B. No. 169 be read a third time now and placed on its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dimick, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Allen, Cartwright, Dawson, Emmett, Hare—5.

So the rules were suspended and the bill was read the third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Dimick, Emmett, Gray, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Steel, Williams, Weatherford, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Coleman, Chamberlin, Dawson, Hare, Hamilton, Irvine, Miller, Stanley, Veatch—9.

So the bill was declared passed.

Mr. Simon moved that the rules be suspended and H. B. No. 247 be read a third time and placed on its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Dawson, Hare, Irvine and Veatch—5.

So the rules were suspended and the bill was read a third time,

and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Dawson, Hare, Irvine—3.

So the bill was declared passed.

Mr. Simon moved that the rules be suspended and H. B. No. 203 be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Dawson, Hare and Irvine—3.

So the rules were suspended and the bill was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Dawson, Hare, Irvine and Rinehart—4.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 4, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 93, being a bill for an Act to fix the time of County Court in Gilliam County, Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 93, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Cartwright moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Dawson, Hare and Rinehart—3.

So the rules were suspended and the bill was read a second time by title.

Mr. Cartwright moved that the rules be further suspended and the bill be read a third time now and placed put upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Dawson, Hare, Irvine and Rinehart—4.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Dawson, Hare, Irvine, Rinehart and Siglin—5.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 4, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 32, being a bill for an Act to amend an Act entitled an Act to incorporate the city of Portland, approved November 25, 1885.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 32, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Simon moved that the rules be suspended and H. B. No. 32 be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Cartwright, Cauthorn, Chamberlin, Dawson, Hare, Irvine, Rinehart, Siglin and Weatherford—9.

So the rules were suspended and the bill was read a second time by title.

Mr. Simon moved that the rules be still further suspended and the bill be read the third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Dimick, Gray, Hamilton, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—20.

Nays—None.

Absent—Messrs. Cartwright, Cauthorn, Chamberlin, Dawson, Emmett, Hare, Irvine, Miller, Rinehart and Weatherford—10.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—21.

Nays—Messrs. Allen, Cartwright, Gray, Veatch, Weatherford—5.

Absent—Messrs. Barin, Dawson, Hare, Irvine—4.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 4, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 67.

And the same is herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 4, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 199, being a bill to amend Acts incorporating Eugene City.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Coleman moved that the rules be suspended and H. B. [No. 199] accompanying the foregoing message be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Cauthorn, Dawson, Hare, Irvine and Weatherford—5.

So the rules were suspended and H. B. No. 199 was read the first time by title and passed to a second reading without a question.

Mr. Coleman moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Dawson, Hare, Irvine and Weatherford—4.

So the rules were suspended and the bill was read a second time by title.

Mr. Coleman moved that the rules be still further suspended and

the bill be read the third time and placed upon its final passage now.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Dawson, Hare, Irvine, Siglin and Weatherford—5.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cauthorn, Dawson, Hare and Irvine—4.

So the bill was declared passed.

Mr. Bird was granted leave of absence until next Monday evening at 7:30 o'clock.

On motion of Mr Steel, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

MONDAY, FEBRUARY 7, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, February 7, 1887. }

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators were found to be present except Mr. Bird, absent on leave.

On motion of Mr. Hare, the reading of the Journal of Friday's proceedings was dispensed with.

The consideration of S. B. No. 54, having been made the special order for this time, was read the third time.



By unanimous consent the Clerk was instructed to insert in the engrossed copy the words "duly executed by said corporation" after the word "Oregon," the last word of the eleventh line of said engrossed bill, which insertion was duly made.

Now the question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—26.

Nays—Messrs. Coleman, Veatch, Weatherford—3.

Absent—Mr. Bird—1.

So the bill was declared passed, and it was ordered that the title of the bill stand as the title of the Act.

S. B. No. 55 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Williams, Wager, Watts, Mr. President—23.

Nays—Messrs. Coleman, Veatch, Weatherford—3.

Absent—Messrs. Bird, Cauthorn, Rinehart and Stanley—4.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 4, 1887. }

*To the Honorable the Senate of the State of Oregon:*

On the 15th of April, 1885, Hon. T. G. Hendricks of Lane County, to succeed himself, and on the 11th of September, 1886, Hon. C. C. Beekman of Jackson County, to fill the unexpired term of E. R. Geary, were appointed Regents of the State University.

I respectfully desire the confirmation.

SYLVESTER PENNOYER.

On motion of Mr. Coleman, the appointments mentioned in the message were confirmed by the Senate.

At this time Mr. Hare, Chairman of the Special Joint Committee on Apportionment, under the special order reported back S. B. No. 165 as per their following

## REPORT.

SENATE CHAMBER,  
SALEM, February 2, 1887. }

*Mr. President*—The Special Joint Committee on Apportionment of the House of the Legislative Assembly, to whom was referred the various bills introduced, beg leave to report that they have had the same under consideration, and would respectfully report them back to the Senate with Senate Bill No. 165, which we introduce as a substitute for the various bills submitted to us:

WILLIAM D. HARE,  
J. P. WAGER,  
T. E. CAUTHORN,  
W. H. BIGGS,  
DAVID GOODSELL.

On motion of Mr. Hare, the foregoing report and the substitute was adopted and substitute made S. B. No. 165.

Mr. Hare moved that the rules be suspended and S. B. No. 165 be read the first time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Bird—1.

So the rules were suspended and S. B. No. 165 was read the first time by title, and passed to a second reading without a question.

Mr. Hare moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Bird—1.

So the rules were suspended, and the bill was read a second time by title.

On motion of Mr. Hare the bill was ordered printed and made the special order for 2 o'clock P. M. Thursday, February 10, 1887.

S. B. No. 91, under special order, was read the third time.

On motion of Mr. Chandler, the bill was again referred to a Special Committee of the following Senators, namely: Messrs. Barin, Coleman and Rinehart.

S. B. No. 83, under special order, was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Simon, Stanley, Steel, Veatch, Williams, Wager, Mr. President—25.

Nays—Messrs. Emmett, Shupe, Weatherford, Watts—4.

Absent—Mr. Bird—1.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

The courtesies of the Senate were, on motion of Mr. Dawson, extended to Hon. T. J. Black of Linn County.

S. B. No. 137, having been read the third time at the evening Session of February 4th, 1887, and after the statement of the question, "Shall the bill pass?" the further consideration of the bill having been postponed and made the special order for this time, now came on for its final passage on the question, "Shall the bill pass?" The roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—Messrs. Emmett and Veatch—2.

Absent—Messrs. Bird, Hare and Rinehart—3.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

S. B. No. 86 now coming on for consideration under special order, was read the third time and the question now being, "Shall the bill pass?"

Pending the discussion Mr. Hare obtained unanimous consent to report on behalf of the Joint Committee appointed under H. C. R. No. 14 to visit the School for Deaf Mutes, and submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 25, 1887. }

*Mr. President*—Your Joint Committee appointed to visit the

School for Deaf Mutes beg leave to report that they have visited the school, examined the premises, etc., and that they find the management to be efficient, prudent and economical to a degree rarely found in the management of public or even private institutions. Whilst as a home, the establishment seems quite humble, everything about the place is faultlessly clean, neat and comfortable, and the hygenic condition as good as can be expected from the situation.

The pupils are comfortably clothed, and seem to be in good health. The bedding is good and comfortable.

We submit the following estimates for the next two (2) years, and as we approve of the recommendations made in the biennial report of the Directors for 1886, pages 11-12, would respectfully ask that the estimates here submitted be favorably considered by the Legislative Assembly :

ESTIMATES

Of expense, etc., for two (2) years from January 1, 1887, to December 31, 1888, for the Oregon School for Deaf Mutes:

*Regular Expenses for Two (2) Years.*

Teachers' salaries-----	\$ 2,400 00
Wages of cooks and servants-----	1,200 00
Matrons' salaries-----	1,000 00
Superintendent's salary-----	2,000 00
Improvements and repairs-----	2,000 00
Needed turniture-----	500 00
Clothing indigent pupils-----	200 00
Boarding supplies-----	4,400 00
<hr/>	
Total-----	\$13,700 00

*Proposed Industrial Department.*

Industrial instructions-----	2,000 00
<hr/>	
Total-----	\$15,700 00

We recommend that an appropriation of fifteen thousand seven hundred dollars (15,700) be made, of which thirteen thousand seven hundred dollars (\$13,000) shall be to meet current expenses, and two thousand dollars (\$2,000) for the proposed industrial department. All of which is respectfully submitted.

WILLIAM D. HARE,  
Chairman S. J. Committee.

On motion of Mr. Hare, the foregoing report was referred to the Committee on Ways and Means.

At this time the Senate, on motion of Mr. Weatherford, adjourned.

E. G. HURSH,  
Chief Clerk.

TUESDAY, FEBRUARY 8, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, February 8, 1887. }

The Senate met at the regular hour and was called to order by the President.

The roll was called, and all the Senators reported present except Messrs. Siglin and Stanley.

The Journal of yesterday's proceedings was read, and with the correction of Mr. Weatherford's vote on the passage of S. B. No. 55, who claimed to have voted "No," was approved.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, February 4, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 54 and 55, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

REPORT.

SENATE CHAMBER,  
SALEM, February 7, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 138, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, February 7, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 91, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, February 7, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 133, 69, 36, 111, 108 and 101, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, February 7, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 138, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

On motion of Mr. Simon the special order was postponed for thirty minutes to read House messages.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 4, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B. No. 26.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 7, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted H. C. R. No. 23, providing for a Joint Committee of three on the part of the House and two on the part of the Senate to visit and report on the condition of the School for the Blind.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Simon H. C. R. No. 23 was concurred in by the Senate.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 7, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 73, being an Act to amend Section 1 of an Act to create roads of public easement, approved October 20, 1876.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Wager moved that the rules be suspended and H. B. No. 73, accompanying the foregoing message, be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Chandler and Rinehart—2.

So the rules were suspended and H. B. No. 73 was read the first time by title and passed to a second reading without a question.

Mr. Hare moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Chandler and Dawson—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Hare was referred to the Committee on Roads and Highways.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 5, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted H. J. R. No. 10, directing the Secretary of State to compile the road laws and the game laws of the State at this Session of the Legislature and cause 2,500 copies of each to be printed.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Hare, H. J. R. No. 10 was referred to the Committee on Ways and Means.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 7, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 44, being a bill for an Act for the selection and sale of State lands remaining unsold.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Coleman moved that the rules be suspended and H. B. No. 44, accompanying the foregoing message, be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee,



Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Chandler—1.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Miller moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Chandler—1.

So the rules were suspended and the bill was read a second time by title, and referred to the Committee on Public Lands.

The President announced that he was about to sign H. B. No. 26, and shortly afterward stated that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 5, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 210, being a bill to amend Pilot Laws.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Hare moved that the rules be suspended and H. B. No. 210, accompanying the foregoing message, be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Chandler and Cauthorn—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Coleman moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Coleman referred to the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 7, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that House Bill No. 77 has passed the House, being a bill for an Act amending an Act for securing liens for mechanics, laborers, material men, etc.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 77, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Hare moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Chandler, Miller and Veatch—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Hare was referred to the Committee on Judiciary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 5, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 84, being a bill to amend Acts incorporating the city of Albany.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 5, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. J. M. No. 5 has been adopted by the House, praying our members in Congress to use their utmost efforts to secure the removal of John G. Parks as Chief Engineer of river and harbor business

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Cauthorn, H. J. M. No. 5 was referred to the Committee on Federal Relations.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 5, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed House Bills Nos. 169, 199, 98, 123, 113.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 7, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed House Bills 203 and 247 and H. J. M. No. 4.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 5, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B's Nos. 31 and 52 and H. J. M. No. 2.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 4, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed Senate Bill No. 3, being a bill to incorporate the town of Cottage Grove.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

The courtesies of the Senate were extended to Hon. Richard Williams of Multnomah County.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 7, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 204, being a bill for an Act to divide the Clerk's office of Multnomah County, Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Simon moved that the rules be suspended and H. B. No. 204, accompanying the foregoing message, be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Stanley, Williams—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Coleman moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Stanley—1.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Simon was referred to the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 7, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 233, being a bill for an Act to change the name of the town of Alkali and to incorporate the same.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 233, accompanying the above message, was read the first time and passed to a second reading without a question.

Mr. Williams, Chairman of the Committee on Enrolled Bills, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 8, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bill No. 88, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, February 8, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bill No. 67, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, February 8, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred S. J. M. No. 8, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

Mr. Lee asked and secured unanimous consent to defer the special order, being the consideration of S. B. No. 133, until the pending question on the passage of S. B. No. 86 be disposed of.

S. B. No. 86 now coming up for consideration on its final passage on the question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Coleman, Cartwright, Chandler, Gray, Hamilton, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Mr. President—14.

Nays—Messrs. Allen, Bird, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Irvine, Lee, Looney, Veatch, Williams, Weatherford, Wager, Watts—16.

Absent—None.

So the bill was declared not passed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 8, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B. No. 32.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign H. B. Nos. 31, 32, 52, 247, 203, 113, 128, 93, 199 and 169, and shortly afterwards announced that he had signed them.

The President announced that he was about to sign H. J. M. No. 2 and H. J. M. No. 4, and shortly afterwards announced that he had signed them.

At this time the special order, being the consideration of S. B. No. 133, was taken up and read the third time and the question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Coleman, Chamberlin, Steel and Veatch—5.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Hare moved that the Judiciary Committee be relieved from the further consideration of H. B. No. 204 and that the same be referred to the Senators from Multnomah County, which motion prevailed and it was so ordered.

On motion of Mr. Shupe, the Senate adjourned.

### AFTERNOON SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators were present except Mr. Stanley.

The President appointed Messrs. Emmett and Cauthorn on the Joint Committee pursuant to H. C. R. No. 23 to visit and report the condition of the School for the Blind.

On motion of Mr. Wager, the special order for the consideration of S. B. No. 166 was deferred until 3 o'clock this P. M.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 7, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that

the House has passed H. B. No. 36, being a bill to regulate the charges for transportation of freight by railroad corporations doing business within the State.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Wager moved that the rules be suspended and H. B. No. 36, accompanying the foregoing message, be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Stanley—1.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Wager moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Barin, Stanley—2.

So the rules were suspended and the bill was read a second time by title.

Mr. Allen moved that H. B. No. 36 be made the special order for 2 o'clock to-morrow.

Mr. Miller moved to amend the above motion by referring said bill to the Committee on Railroads.

On this amendment, at the request of Messrs. Veatch and Hare, the ayes and nays were called for. The roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Cartwright, Chandler, Emmett, Hamilton, Miller, Siglin, Shupe, Simon, Stanley, Steel, Mr. President—13.

Nays—Messrs. Allen, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Rinehart, Veatch, Williams, Weatherford, Wager, Watts—17.



Absent—None.

So the question to refer to the Committee on Railroads was lost.

The motion of Mr. Allen to make this the special order for tomorrow at 2 o'clock P. M. prevailed and it was so ordered.

Mr. Gray obtained unanimous consent to consider S. J. M. No. 6, which was read, and Mr. Gray moved to adopt S. J. M. No. 6.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Weatherford—1.

So S. J. M. No. 6 was adopted.

Mr. Gray obtained unanimous consent to consider S. J. M. No. 7, which was read, and Mr. Gray moved that S. J. M. No. 7 be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Lee and Weatherford—2.

So S. J. M. No. 7 was declared adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 7, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 12, being a bill for an Act to provide for the time and places of holding the Circuit Courts in the First Judicial District.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 12, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Stanley moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cauthorn, Lee, Williams, Weatherford—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Miller was referred to a Committee consisting of the Senators from the First Judicial District, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 7, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 14, being a bill for an Act prescribing the times and places of holding the terms of the Circuit Court in the Seventh Judicial District.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 14, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Cartwright moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Rinehart, Siglin, Steel, Veatch, Williams—5.

So the rules were suspended and the bill was read a second time by title.

Mr. Cartwright moved that the rules be still further suspended and the bill be read a third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cau-

thorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Rinehart, Siglin, Steel, Veatch, Williams—5.

So the rules were declared suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Rinehart, Steel, Veatch—3.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 7, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 218, being a bill for an Act to amend Section 5 of an Act to redistrict the State into Judicial Districts and to provide for time and place of holding Court.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS.

Chief Clerk.

S. B. No. 218, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Shupe moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Williams, Weatherford, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Rinehart, Steel, Veatch and Wager—4.

So the rules were suspended and the bill was read a second time by title.

Mr. Shupe moved that the rules be still further suspended and

the bill be read the third time and placed on its final passage **now**.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Rinehart, Steel and Wager—3.

So the rules were suspended and the bill was read a **third** time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—Mr. Veatch—1.

Absent—Messrs. Hare, Rinehart, Steel—3.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 8, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. J. M. No. 8 and S. B's Nos. 67 and 89.

And the same are herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign S. B's Nos. 67 and 89, also S. J. M. No. 8, and shortly afterwards stated that he had signed them.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 7, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 248, being a bill for the relief of School District No. 47, Linn County, Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 248, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Coleman moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Cauthorn, Hare, Miller, Rinehart, Steel and Veatch—4.

So the rules were suspended and the bill was read a second time by title.

On motion of Mr. Weatherford, the bill was referred to a Committee of the Senators from Linn County, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 8, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 102, being a bill for an Act to declare the first Saturday in June of each year a public holiday, to be known as Labor Day.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 102, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Lee moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Ir-

vine, Lee, Looney, Miller, Shupe, Simon, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Hare, Rinehart, Siglin, Stanley, Steel and Veatch—6.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Lee was referred to the Committee on Judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 8, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 69, being a bill for an Act to amend Section one (1) of an Act entitled an Act to create the County of Gilliam, and to fix salaries, etc.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Coleman moved that the rules be suspended and H. B. No. 69, accompanying the foregoing message, be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Miller, Shupe, Simon, Stanley, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Lee, Rinehart, Siglin, Steel and Veatch—5.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

#### REPORTS OF STANDING COMMITTEES.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 2, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 139, beg leave to report that they have had the

same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, S. B. 139 was ordered engrossed for third reading to-morrow.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 31, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 77, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following amendments:

#### FIRST AMENDMENT.

Strike out Section (2) two of printed bill and insert the following in lieu thereof:

SECTION 2. It shall be unlawful to sell or to offer for sale, or to export from the State any canned or salted "Salmon fish" unless each can, case, barrel or package shall be labelled, branded or marked with the manner of the cannery or saltery, the river, bay or inlet where canned or salted, together with the name of the proprietor of the cannery or saltery.

#### SECOND AMENDMENT.

Number Section (3) three, printed bill, Section (4) four.

#### THIRD AMENDMENT.

Number Section (4) four, printed bill, Section (5) five.

JOSEPH SIMON,  
Chairman.

Mr. Simon obtained unanimous consent to strike out the second and third amendment in the above report of the Committee, which was so ordered and done.

On motion of Mr. Simon, the first amendments to said S. B. No. 77 were adopted.

On motion of Mr. Simon, the bill was ordered engrossed for a third reading to-morrow.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 4, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred S. B. No. 115, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following amendments:

#### FIRST AMENDMENT.

Add to Section 2 of the bill the following: And said actions shall be commenced in the Circuit Court or County Court of the County wherein such taxes became delinquent. If judgment is recovered by the plaintiff in any of said actions, costs and disbursements therein shall be allowed to the plaintiff and recovered off defendant without reference to the amount in controversy in the action.

#### SECOND AMENDMENT.

Strike out of Section 7 line 1, printed bill, the words "In addition to the per centum allowed," and also the word "he" in the second line of the same Section.

#### THIRD AMENDMENT.

Strike out of Section 8 all after line 4 of printed bill.

#### FOURTH AMENDMENT.

Strike out Sections 12, 13 and 15.

#### FIFTH AMENDMENT.

Amend Section 17 by adding after the word and figure 2, Section 17, the following:

Sections 81, 82, 83, 84, 86, 87, 88, 89. 90, 91, 92, of Chapter LVII. of the Miscellaneous Laws of the State of Oregon, and



## SIXTH AMENDMENT.

Strike out Section 18 of the bill.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, the amendments to S. B. No. 115 above reported were adopted.

On motion of Mr. Simon, S. B. No. 115 was ordered engrossed for a third reading to-morrow.

On motion of Mr. Wager, the special order, the consideration of S. B. No. 166, was postponed and made the special order for 3 o'clock P. M. to-morrow, February 9, 1887.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 2, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 127, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following

## AMENDMENT.

Strike out lines 9, 10, 11 and 12, printed bill.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, the amendment was adopted.

On motion of Mr. Simon, S. B. No. 127 as amended was ordered engrossed for a third reading to-morrow.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 2, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 154, beg leave to report that they have had the same under consideration, and would respectfully report it back

to the Senate with the recommendation that it do pass, with the following amendments:

#### FIRST AMENDMENT.

Strike out Section two (2) and insert Section three (3) in lieu thereof.

#### SECOND AMENDMENT.

Strike out all after the word "in," line 11, page 2, original bill, down to and including the word person in line 13, original bill, and insert the following in lieu thereof: The Insane Asylum of the State of Oregon.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, the amendments submitted in the above report were adopted.

On motion of Mr. Simon, it was ordered to have S. B. No. 154 engrossed for a third reading to-morrow.

Mr. Simon, Chairman of the Judiciary Committee, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 2, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Joint Resolution No. 12 of 1885, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

JOSEPH SIMON,  
Chairman.

Mr. Simon moved that S. J. R. No. 12 of 1885 be adopted and agreed to by the Senate and ordered enrolled.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Coleman, Cartwright, Irvine, Miller—4.

So S. J. R. No. 12 of 1885 was adopted and agreed to by the Senate.

Mr. Simon, Chairman of the Judiciary Committee, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 4, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred S. B. No. 105, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it be referred to Special Committee on Insurance.

(Signed)

JOSEPH SIMON,  
Chairman.

On motion of Mr. Hare the above report was adopted and S. B. No. 105 referred to the Special Committee on Insurance.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 8, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 113, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following

## AMENDMENTS.

After the word "elected" in line one; Section 1 of printed bill, strike out the words "in each County of the State" and insert the following in lieu thereof:

"In the following Counties of this State, they having the number of voters required by the Constitution, namely, twelve hundred—Clackamas, Clatsop, Linn, Marion, Umatilla, Union, Washington and Yamhill."

JOSEPH SIMON,  
Chairman.

On motion of Mr. Hare, the amendments to S. B. No. 113, above reported, were adopted and agreed to.

On motion of Mr. Hare, S. B. No. 113 was ordered engrossed for a third reading to-morrow.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 8, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred S. B. No. 148, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following amendments:

#### FIRST AMENDMENT.

Amend the title of the bill so it shall read as follows:

#### A BILL

For an Act to prohibit the sale of tobacco to minors, under the age of eighteen years.

#### SECOND AMENDMENT.

After the word eighteen in line (2) two, Section 1 of the printed bill, insert the word "years."

#### THIRD AMENDMENT.

Strike out the following words in lines threc and four of Section (1) printed bill, "Or any firearms," ammunition or knife, other than a common pocket-knife.

#### FOURTH AMENDMENT.

Strike out all of Section (2) two, of printed bill.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon the amendments to S. B. No. 148 were adopted and agreed to.

On motion of Mr. Simon, the bill was ordered engrossed for a third reading to-morrow.

Mr. Shupe, Chairman of the Committee on Ways and Means, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 8, 1887. }

*Mr. President*—Your Committee on Ways and Means, to whom was referred S. B. No. 131, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

J. H. SHUPE,  
Chairman.

Mr. Chandler, a member of the Committee, submitted the following minority

## REPORT.

SENATE CHAMBER,  
SALEM, February 8, 1887. }

*Mr. President*—Your Committee on Ways and Means, to whom was referred S. B. No. 131, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do not pass.

GEORGE CHANDLER.

On motion of Mr. Shupe, the majority report was adopted, and the bill was ordered engrossed for a third reading to-morrow.

Mr. Shupe, Chairman of the Committee on Ways and Means, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 3, 1887. }

*Mr. President*—Your Committee on Ways and Means, to whom was referred Senate Bill No. 141, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do not pass.

JOHN H. SHUPE,  
Chairman.

On motion of Mr. Hare, S. B. 41 was ordered laid on the table.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 8, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. M. No. 6; also, that the House has concurred in S. J. M. No. 7.

And the same are herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Bird, Chairman of the Committee on Corporations, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 2, 1887. }

*Mr. President*—Your Committee on Corporations, to whom was referred Senate Bill No. 162, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

R. P. BIRD.  
Chairman.

Mr. Weatherford moved that the rules be suspended and S. B. No. 162 be read a third time now and placed on its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Coleman, Miller and Steel—3.

So the rules were suspended and the bill was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Simon, Stanley, Weatherford, Wager, Watts, Mr. President—22.

Nays—Mr. Chandler—1.

Absent—Messrs. Coleman, Hare, Miller, Shupe, Steel, Veatch and Williams—7.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Bird, Chairman of the Committee on Corporations, submitted the following

### REPORT.

SENATE CHAMBER,  
SALEM, Janary 31, 1887. }

*Mr. President*—Your Committee on Corporations, to whom was referred S. B. No. 102, beg leave to report that they had the same under consideration, and (together with petition and remonstrance of citizens) would respectfully report it back to the Senate without recommendation.

R. P. BIRD,  
Chairman.

Mr. Dimick moved that the rules be suspended and the bill be read a third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Rinehart, Simon, Stanley, Williams, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Coleman, Hare, Miller, Siglin, Shupe, Steel, Veatch and Weatherford—9.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Cartwright, Cauthorn, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Looney, Simon, Stanley, Veatch, Williams, Wager, Watts, Mr. President—18.

Nays—Messrs. Barin, Coleman, Chamberlin, Gray, Shupe—5.

Absent—Messrs. Chandler, Lee, Miller, Rinehart, Siglin, Steel, Weatherford—7.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 7, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that H. B. No. 211, amending the Act establishing paid fire department in the city of Portland, has passed the House.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 211, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Simon moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cauthorn, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Shupe, Simon, Veatch, Williams, Wager, Watts, Mr. President—20.

Nays—None.

Absent—Messrs. Cartwright, Chandler, Chamberlin, Siglin, Stanley, Steel, Weatherford, Hare, Miller and Rinehart—10.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Simon was referred to a Special Committee consisting of the Senators from Multnomah County.

Mr. Bird, Chairman of the Committee on Corporations, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 3, 1887. }

*Mr. President*—Your Committee on Corporations, to whom was referred the petition and remonstrance of citizens of Philomath, Benton County, Oregon, referring to the matter of the repeal of the Act incorporating said town of Philomath, beg leave to report that we have had the same under consideration, and are of the opinion from facts presented to us that a majority of the residents, and also parties representing the larger part of the taxable property in said town, are opposed to the repeal of the Act incorporating the



town of Philomath. We therefore recommend that the prayer of the petitioners be not granted.

R. P. BIRD,  
Chairman.

On motion of Mr. Cauthorn the report of the Committee was adopted.

Mr. Dawson, Chairman of the Committee on Roads and Highways, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, January 31, 1887. }

*Mr. President*—Your Committee on Road and Highways, to whom was referred S. B. No. 49, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

S. A. DAWSON,  
Chairman.

On motion of Mr. Dawson, S. B. No. 49 was ordered engrossed for a third reading to-morrow.

Mr. Dawson, Chairman of the Committee on Roads and Highways, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Roads and Highways, to whom was referred Senate Bill No. 57, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

S. A. DAWSON,  
Chairman.

On motion of Mr. Dawson, S. B. No. 57 was ordered engrossed for a third reading to-morrow.

Mr. Dawson, Chairman of the Committee on Roads and Highways, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, January 31, 1887. }

*Mr. President*—Your Committee on Roads and Highways, to whom

was referred Senate Bill No. 73, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate without recommendation.

S. A. DAWSON,  
Chairman.

On motion of Mr. Simon, S. B. No. 73 was ordered engrossed for a third reading to-morrow.

Mr. Dawson, Chairman of the Committee on Roads and Highways, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 31, 1887. }

*Mr. President*—Your Committee on Roads and Highways, to whom was referred Senate Bill No. 82, would respectfully beg leave to report the accompanying bill as a substitute, with the recommendation that it do pass.

S. A. DAWSON,  
Chairman.

On motion of Mr. Cartwright, the report was adopted and the substitute made and introduced as S. B. 168, and read the first time and passed to a second reading without a question.

Mr. Cartwright moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Hare, Miller, Rinehart and Steel—4.

So the rules were suspended and the bill was read a second time by title.

On motion of Mr. Cartwright, the bill was ordered printed and engrossed for a third reading to-morrow.

Mr. Dawson, Chairman of the Committee on Roads and Highways submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 31, 1887. }

*Mr. President*—Your Committee on Roads and Highways, to

whom was referred S. B. No. 98, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

S. A. DAWSON,  
Chairman.

On motion of Mr. Dawson, S. B. No. 98 was ordered engrossed for a third reading to-morrow.

Mr. Dawson, Chairman of the Committee on Roads and Highways, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 8, 1887. }

*Mr. President*—Your Committee on Roads and Highways, to whom was referred House Bill No. 73, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

S. A. DAWSON,  
Chairman.

Mr. Chamberlin, Chairman of the Committee on Counties, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 7, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred House Bill No. 3, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

M. L. CHAMBERLIN,  
Chairman.

Mr. Rinehart moved that the rules be suspended and H. B. No. 3 be placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts—27.

Nays—None.

Absent—Messrs. Miller, Steel and Mr. President—3.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Rinehart, Siglin Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Looney, Miller and Steel—3.

So the bill was declared passed.

On motion of Mr. Siglin, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

WEDNESDAY, FEBRUARY 9, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, February 9, 1887. }

The Senate met at the hour appointed for its meeting and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Chandler, Cauthorn, Williams and Weatherford.

Prayer was offered by Rev. J. W. Harris of Salem.

On motion of Mr. Watts, the reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Watts, having obtained unanimous consent, introduced S. J. R. No. 14, as follows:

#### SENATE JOINT RESOLUTION NO. 14.

WHEREAS, The Legislative Assembly of the State of Oregon at the Session of 1885, by a vote as shown by the Journals thereof, did agree to and pass House Joint Resolution No. 2; and,

WHEREAS, The said Legislative Assembly did, and has at the present, the regular Session of 1887, by a vote as shown by the

Journals thereof, agreed to, and concurred in said House Joint Resolution No. 2 of the Session of 1885; therefore, be it

*Resolved by the Senate, the House concurring:*

That it be and is hereby made the duty of the Governor of the State of Oregon, and that he be and is hereby commanded and directed and empowered, by proclamation thereof duly made, to cause the same to be published as required by the Constitution of the State, and submitted to the electors at a special election to be held on the first Tuesday after the first Monday in November, A. D. 1887. House Joint Resolution No. 2 of the Session of 1885, as concurred in by the Legislative Assembly at the Session of 1887, is as follows:

#### HOUSE JOINT RESOLUTION NO. 2.

*Resolved by the House, the Senate concurring:*

That the following amendment to the Constitution of the State of Oregon be and is hereby proposed:

#### ARTICLE XIX.

SECTION 1. The manufacture, sale, or the giving away, or the offering to sell or give away, or the keeping for sale of any spirituous, vinous, malt, distilled, fermented or any intoxicating liquors whatever, is prohibited in this State, except for medicinal, scientific or mechanical purposes.

SEC. 2. The Legislative Assembly shall provide by law in what manner, by whom and at what places such liquors, or any of them, shall be manufactured, or sold, or kept for sale for medicinal, scientific or mechanical purposes.

SEC. 3. This amendment shall take effect and be in full force in six months from the date of its ratification by the electors.

SEC. 4. The Legislative Assembly shall without delay pass all necessary laws, with sufficient penalties necessary to enforce this amendment.

Adopted by the House, February 2, 1885.

W. P. KEADY,  
Speaker of the House.

Concurred in by the Senate, February 9, 1885.

WM. WALDO,  
President of the Senate.

Agreed to by the House, January 27, 1887.

J. T. GREGG,  
Speaker of the House.

Concurred in by the Senate, January 28, 1887.

J. C. CARSON,  
President of the Senate.

Mr. Watts moved the adoption of S. J. R. No. 14.

Pending the consideration of the adoption of S. J. R. No. 14, the Senate received a message from the Governor.

VETO MESSAGE.

STATE OF OREGON,  
EXECUTIVE OFFICE,  
SALEM, February 9, 1887. }

*To the Honorable the Senate of the State of Oregon:*

I herewith return Senate Bill, No. 15, entitled "An Act to authorize the construction of a bridge across the Willamette River between the City of Portland and the City of East Portland, in Multnomah County, State of Oregon," with my dissent.

The very large majority which the bill received in both Houses, and the great care which they evinced in placing restrictions on the grant conferred by the bill, under ordinary circumstances, would impel me to give my assent to the bill. But when I take into consideration the fact that the proposed bridge is an obstruction to the harbor of Portland, which has heretofore been open and free, that it will render comparatively valueless over 17,000 feet of the finest harbor frontage in the world, that it will practically cause the formation of a new harbor further removed from the city, and that it will thus cause the enhancement of the value of some wharf property by the virtual destruction of other wharf property, I am compelled to exercise my constitutional prerogative to prevent the consummation of such a serious blow, not only to the commerce of the City of Portland, but also to the material interests of the people of the whole State, who are all alike interested in preserving the commercial interests of the metropolis. In the construction of railway bridges across navigable streams, there necessarily have to be mutual concessions. Any bridge is an obstruction to commerce; but bridges must be built, the lines of river and railroad traffic must cross each other, and the interests of both should alike be guarded and subserved. If the site of the proposed bridge was the only or most feasible point for crossing the Willamette River, then there could be and would be no objection to its crossing at that point, provided the bridge was built at suitable height above the water, with draws of sufficient width, and of a character that would give the least possible obstruction to commerce. But when we take into consideration the fact that there

is no other point on the Willamette River between Portland and East Portland, or below the two cities, where the bridge would be so serious an obstruction to commerce as is the proposed site; that at this point the river is the narrowest from Ross Island to the Columbia; that it is less than eight hundred feet wide, while at the Morrison-street bridge it is fifteen hundred feet wide; that its current therefore is here stronger than at any other place between the upper part of the harbor and the mouth of the river; and that the width of such river would still further be narrowed by the erection of the piers necessary for such a bridge structure as is proposed by the bill, we are irresistibly forced to the conclusion that the railroad company was only looking to its own interest and was entirely oblivious to the interests of commerce, or that the location of the bridge was dictated by certain interests in real estate, to which both the interests of the railroad company and of commerce were alike ruthlessly subordinated. The erection of a railroad bridge at this point—the very throat of the Portland harbor—with a draw of only one hundred and fifty feet in the clear, means the virtual destruction of the harbor above that point. Sea-going vessels would never go above the bridge. The former President of the company now seeking this franchise, as well as the Judge of the U. S. District Court for Oregon, after examination by experts, both declared that any bridge in the Portland harbor would be an obstruction to commerce; and the statement was made by the former that no bridge on the upper Mississippi was built with less than an 180-foot draw, and by the latter, that on the Ohio River no draw was less than 160 feet, and that on both these streams navigation was confined exclusively to river boats. Here at the very mouth of the Portland harbor it is proposed to build a bridge with only a 150-foot draw, and is it to be supposed, if for river crafts alone 160 or 180 feet draw is deemed necessary on the Ohio and Mississippi rivers, that 150 feet would be sufficient on the Willamette for large sea-going vessels with tugs alongside? The idea is absurd on its very face. If the Legislative Assembly of the State of Oregon grants to the Oregon Railway and Navigation Company the franchise given by this bill it in effect places a padlock upon the harbor of Portland, and puts the key into the pocket of that company. That is the long and the short of the whole matter. For forty years Portland has been growing as it has grown on account of its splendid harbor facilities. Obstruct those facilities and you injure Portland. The large sea-going vessels would no longer spread their white wings at its wharves, but would be compelled hereafter to stop below the city at the wharves of the railroad company. It has been said that the erection of a bridge at the point proposed was a local question, and there has been a dis-



position to defer to local wishes. There never was a greater mistake. This is a question which affects all Oregon, and in which the representatives of the whole State are alike equally interested. The narrow gauge system of railway which threads the Willamette Valley on both sides of the river will have its terminal facilities in the southern part of the city of Portland. If the right is given to the Oregon Railway and Navigation Company by the Oregon Legislature to construct a bridge at the place designated in this bill all the grain shipped on the narrow gauge road will have to be carted about a mile in order to be loaded on vessels, thus subjecting the farmers along the route of that road to pay a forced tribute to the company that owns the bridge. And the people of Eastern Oregon are also equally interested in maintaining a free harbor for Portland. It was with the greatest pleasure that I transmitted to you last week from one of our Senators the gratifying news that there was a reasonable hope of soon having the Columbia River open to unobstructed commerce. Representatives from Eastern Oregon, the necessary complement to a free river is a free harbor. Of what particular avail would a free river be to that section of the country if the wharves of Portland are fenced in by a bridge so that its products would be compelled to seek the wharves below the bridge of the company that controls it, and to pay the tribute which, by reason of this monopoly of wharves, they would demand? In order to more fully show to the Legislative Assembly of Oregon, the irreparable injury which it is proposed to inflict on the commerce of Oregon by the obstruction of the harbor of its metropolis by allowing the Willamette River to be bridged at the very worst possible place and with an insufficient opening, I herewith submit the following findings of the Board of United States Engineers, who were directed by the War Department to examine the location of this bridge in accordance with the provisions of the United States Senate Bill 2,904, introduced by Senator Dolph in the first week of the present session of Congress.

U. S. ENGINEER OFFICE, }  
PORTLAND, OGN., February 7, 1887. }

*Hon. Sylvester Pennoyer, Governor of Oregon, Salem, Oregon:*

SIR: Under instructions from the Chief of Engineers, U. S. Army, we have the honor to submit to you the following remarks upon the proposed bridge at I street, across the Willamette River at Portland.

The location is not in our judgment judicious, for the following reasons: It is at the narrowest point in the harbor, where the hydraulic conditions are such that the waterway is already too small for the discharge at high stages. The introduction of bridge piers



at this point would have a bad effect upon the regimen of the river, and might injure or destroy valuable portions of the harbor and ship channel. Furthermore, the location is not adapted to a draw of sufficient width, and the bridge would practically form the head of a harbor already limited in capacity.

From this point to the natural head of the harbor at Ross Island the deep-water frontage has a length of 14,000 feet on the Portland side, and about 3,600 feet on the East Portland side. Below it there is a length of 8,500 feet on the East Portland side, and not exceeding 3,000 feet on the Portland side. Above this point lies a considerable stretch of wide and deep river. To terminate the harbor at this point would necessitate the forming of a new harbor below it, at a considerable cost in the first place and a continuous cost for dredging for maintenance thereafter. This would entail a serious tax upon the commerce of the port.

The Board has further to remark that whatever location should be adopted the law should require—

1. That the piers of the bridge be placed parallel with the current at mean high water stages due to the river's own freshets.

2. That the clear headway under said bridge should be at least 10 feet at the highest known stage due to the same freshets.

3. That if the draw span be adjacent to either bank the right of wharfage on that bank should be extinguished for a distance of at least 700 feet above and 700 feet below the bridge; this for the purpose of insuring a free and unobstructed approach to the shore opening.

4. That rest piers should be provided above and below the pivot pier, with suitable filling between them, and also other accessory structures as may be needed for the safe passage of vessels.

5. That the company operating the bridge shall maintain at its own expense good and sufficient light and fog signals, and open the draw for the passage of vessels promptly upon reasonable signal.

6. That no rip-rapping or other filling or projections around the piers shall materially reduce the waterway between them.

Should the location at "I street" be approved, the law should require—

That the tracks cross Front street with a clear headway of 14 feet; otherwise the minimum height of the bridge above the river would necessitate the crossing of this street at a height which would seriously obstruct the said street at a point where the wagon traffic is heavy and which it cannot conveniently avoid, because the adjacent streets are vacated.

In conclusion the Board begs to state that the two lines of traffic along the harbor and across it can hardly exist together without serious concessions by each; and that a fair compromise would be

the surrender of the part of the harbor above Market street. A bridge at this point or above could connect with the North Portland terminal grounds by different practicable routes and form a junction for all the railroads centering at Portland. Draw openings at this point could be 160 feet wide.

Another alternative location for a railroad bridge, considerably below the harbor, would be at St. John's, where the draw openings should be at least 200 feet wide.

We have the honor to be your very obedient servants,

W. A. JONES,

Major of Engineers.

CHAS. F. POWELL,

Captain of Engineers.

EDW. BURR,

First Lieut. of Engineers.

This report, in my judgment, should be as conclusive in determining your vote upon this measure as it has been in determining my action in regard to it. With this report before them neither the War Department nor Congress will sanction the construction of a bridge at the site proposed by Senate Bill No. 15. Of what avail then would be the State Legislative authorization? While Congress cannot authorize the construction of a bridge within State limits (3 Wallace, 713) yet, "having power to regulate commerce with foreign nations and among the several States, and navigation being a branch of that commerce, it has the control of the navigable waters between the States, or connecting with the ocean, so as to preserve and protect the free navigation" (109 U. S., 385). If, in the judgment of the War Department, this bridge, at the site proposed, is a serious obstruction to commerce, the Federal Government, by virtue of its paramount authority in regard thereto, could and would interpose and prevent its construction.

But while I am forced to thus interpose my objection to the erection of a bridge at the place designated in this bill, I am not opposed to the construction of a railroad bridge at Portland, but, on the other hand, would most cheerfully give my assent to a bill that would not seriously interfere with the commerce of the city. The erection of the Morrison street bridge has already virtually destroyed about a mile of one of the finest harbors in the world. Conceding that, I would willingly give my assent to the construction of a railroad bridge at any place above that structure. And the railroad company could build a bridge above Morrison street at a much less expense than at the site proposed in Senate Bill No. 15, and without materially interfering with commerce.

All the restriction that I would wish beyond what is already stipulated in the bill would be one preventing the collection of fare

from foot passengers. While granting favors to railroad corporations it would not be amiss if the Legislative Assembly should grant for once one small favor to the poor man. The wear of foot passengers on the bridge is not really perceptible, and their free passage would work no other injury to the owners of the bridge than the loss of toll. For about thirty years past all legislation in this country, State and Federal, has been exclusively in the interest of the rich, and if now the Legislative Assembly of Oregon in one single instance should make one small provision in favor of the poor man it would shine out in the midst of the legislation of the country like a lighted torch in the midst of cavernous gloom.

While I feel compelled to give my dissent to this bill, I will state again that I am not opposed to the building of a railroad bridge at Portland, but would cheerfully give my assent to a bill providing for its construction in a place and manner that would not materially conflict with the commercial interests of Portland.

I veto the bill.

SYLVESTER PENNOYER,

Governor.

After the reading of the foregoing Governor's Message, Mr. Simon moved that the consideration of the aforesaid veto message be made the special order for 10 o'clock A. M. next Friday, and 500 copies of said message be printed, which motion prevailed, and it was so ordered.

S. J. R. No. 14 being now further considered, on the motion of Mr. Watts for the adoption of the same, the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—26.

Nays—Messrs. Coleman, Miller, Veatch and Weatherford—4.

Absent—None.

So S. J. R. No. 14 was declared adopted.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 9. 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was

referred Senate Bill No. 168, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

Mr. Cartwright, having received the unanimous consent, introduced S. B. No. 169, being a bill for an Act providing for building and maintaining a portage double and narrow guage railway system between The Dalles city and Celilo, etc.

Mr. Cartwright moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Mr. President—28.

Nays—None.

Absent—Messrs. Weatherford and Watts—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Cartwright moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Veatch and Weatherford—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Cartwright was referred to a Special Committee consisting of Messrs. Wager, Hare and Simon.

Mr. Chamberlin, Chairman of the Committee on Counties, made the following

#### REPORT.

SENATE CHAMBER, }  
SALEM, February 7, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred H. B. No. 40, beg leave to report that they have had the same

under consideration and would respectfully report it back to the Senate with the recommendation that it do pass.

M. L. CHAMBERLIN,  
Chairman.

On motion of Mr. Watts, H. B. No. 40 was made the special order for to-morrow morning at 10 o'clock.

Mr. Chamberlin, Chairman of the Committee on Counties, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 3, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred S. B. No. 48, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

M. L. CHAMBERLIN,  
Chairman.

Mr. Simon moved that the rules be suspended and S. B. No. 48 be read a third time and placed on its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Stanley, Steel—2.

So the rules were suspended and the bill was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Veatch, Williams, Weatherford, Wager, Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Siglin, Stanley, Steel, Watts—5.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Gray having obtained unanimous consent, introduced S. B. No. 170, being a bill for an Act to fix and regulate the fees of Justices of the Peace and Constable in Clatsop County.

Mr. Gray moved that the rules be suspended and S. B. No. 170 be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Simon, Williams, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Allen, Cartwright, Shupe, Stanley, Steel, Veatch and Weatherford—7.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Gray moved that the rules be further suspended and the bill be read a second time by title now.

Those voting aye were:

Messrs. Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Simon, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Allen, Cartwright, Siglin, Shupe, Stanley and Steel—6.

So the rules were suspended and the bill was read a second time by title.

Mr. Gray moved that the rules be still further suspended and the bill be read the third time now and placed upon its final passage.

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Allen, Siglin, Stanley and Steel—4.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?"

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Miller, Siglin, Shupe, Simon, Stanley, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Dimick, Lee, Rinehart, Steel, Veatch, Williams and Weatherford—7.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Chamberlin, Chairman of the Committee on Counties, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 2, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred S. B. No. 68, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following

#### AMENDMENT.

Amend Section one of S. B. No. 68 by striking out all of the Section after the words "read as follows," and insert the following:

SECTION 8. That Clatsop County shall be bounded on the north by the north line of the State of Oregon. On the east by the east boundary of T. 4 N., R. 6 W., Willamette Meridian, extended north to the State line. On the south by the southern line of said Township 4, extended west to the State line. On the west by the western boundary of the State of Oregon.

M. L. CHAMBERLIN,  
Chairman.

On motion of Mr. Chamberlin, the amendments to S. B. No. 68 were adopted and agreed to.

On motion of Mr. Gray, S. B. No. 68 was ordered engrossed and made the special order for 11 o'clock to-morrow morning.

Mr. Chamberlin, Chairman of the Committee on Counties, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 4, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred Senate Bill No. 51, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate.

M. L. CHAMBERLIN,  
Chairman.



On motion of Mr. Chamberlin, S. B. No. 57 was ordered engrossed for a third reading to-morrow.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 9, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that S. J. R. No. 12 of 1885 did not accompany the message, as stated in the message.

A. C. JENNINGS,  
Chief Clerk.

The message referred to above was ordered corrected and returned to the House, which was done.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 9, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B's Nos. 14 and 218.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

By unanimous consent, Mr. Hare, Chairman of the Committee on Public Buildings, submitted the following

### REPORT.

SENATE CHAMBER,  
SALEM, February 8, 1887. }

*Mr. President*—Your Committee on Public Buildings, to whom was referred Senate Bill No. 12, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate for its further consideration.

W. D. HARE,  
Chairman.

On motion of Mr. Lee, the report was adopted and the bill ordered engrossed for a third reading to-morrow.

Mr. Barin, Chairman of the Committee on Commerce, submitted the following



## REPORT.

SENATE CHAMBER,  
SALEM, February 1, 1887. }

*Mr. President*—Your Committee on Commerce, to whom was referred S. B. No. 122, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, S. B. No. 122 was ordered engrossed for a third reading to-morrow.

Mr. Barin, Chairman of the Committee on Commerce, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 8, 1887. }

*Mr. President*—Your Committee on Commerce, to whom was referred S. B. No. 164, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following

## AMENDMENT.

After the word "thereon" in line 6 Section 1, printed bill, add the following: "Provided that the County Court of Clackamas County shall from time to time have the right to regulate the rates to be charged for the transmit of persons and property."

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the amendments were adopted.

On motion of Mr. Barin, the bill was ordered engrossed and made a special order for this evening at 7:30 o'clock.

The President announced that he was about to sign H. B. No. 14 and H. B. No. 218, and shortly afterwards stated that he had signed them.

Mr. Shupe, Chairman of the Committee on Ways and Means, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 8, 1887. }

*Mr. President*—Your Committee on Ways and Means, to whom was referred House Joint Resolution No. 10, have had the same under consideration, and would respectfully report back the following substitute and recommend its adoption.

JOHN H. SHUPE,  
Chairman.

## HOUSE JOINT RESOLUTION NO. 10.

*Be it Resolved by the House, the Senate concurring :*

That the Secretary of State be and he is hereby authorized and directed to compile and prepare the road laws of this State, as amended at this Session of the Legislature, and cause 4000 copies to be printed and distribute as many thereof as may be necessary to the proper officers in this State.

Mr. Shupe moved that the substitute be adopted as H. J. R. No. 10.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Steel—1.

So the substitute was declared adopted as H. J. R. No. 10.

Mr. Watts, Chairman of the Committee on Education, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 9, 1887. }

*Mr. President*—Your Committee on Education, to whom was referred Senate Bill No. 132, beg leave to report that they have had the same under consideration, and would respectfully report it back, a substitute for said bill being S. B. No. 171.

J. W. WATTS,  
Chairman.

Mr. Watts moved that the report be adopted and the above substitute be introduced as S. B. No. 171, which motion prevailed.

Mr. Watts moved that the rules be suspended and the substitute, S. B. No. 171, be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Steel—2.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Watts moved that the rules be further suspended and the bill read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Chamberlin, Lee, Miller, Rinehart and Steel—5.

So the rules were suspended and the bill was read a second time by title.

On motion of Mr. Watts, the bill was ordered printed and considered engrossed for a third reading to-morrow.

On motion of Mr. Hare, the Senate adjourned.

## AFTERNOON SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Cauthorn, Gray, Steel and Weatherford.

Mr. Irvine, Chairman of a Special Committee, with leave to report at any time, submitted the following

### REPORT.

SENATE CHAMBER,  
SALEM, February 9, 1887. }

*Mr. President*—Your Special Committee, to whom was referred

House Bill No. 248, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

R. A. IRVINE,  
Chairman.

On motion of Mr. Irvine, H. B. No. 248 was made the special order for this evening.

Mr. Cartwright, Chairman of the Committee on Public Lands, having obtained unanimous consent, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 9, 1887. }

*Mr. President*—Your Committee on Public Lands, to whom was referred Senate Bill No. 81, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following amendments:

#### FIRST AMENDMENT.

Strike out all of Section 1 after the word "that" and insert the following:

All certificates of sale issued by "the Board of Commissioners for the Sale of School and University Lands," and for the investment of the funds arising therefrom for swamp or overflowed lands on which the twenty per centum of the purchase price was not paid prior to January 17, 1879, are hereby declared void and no force or effect whatever; and said Board of Commissioners is hereby authorized and directed to cancel said certificates of sale.

#### SECOND AMENDMENT.

Strike out all of Section 2 and insert the following as Section 2:

All swamp or overflowed lands sold under the provisions of the Act approved October 26, 1870, relating to swamp lands, which have not been reclaimed or paid for in accordance with the provisions of said Act, are hereby declared forfeited and the certificates of sale are declared void and the said Board is authorized to cancel the same; but the provisions of this Section shall not apply to actual settlers on lands of 320 acres or less who have paid their twenty per centum, which settlers may perfect title without reclamation by the payment of the remaining eighty per centum before January 1, 1889.

## THIRD AMENDMENT.

Strike out Section 3 and insert the following as Section 3:

Upon surrender of any such void certificate of sale, or any certificate of sale or receipt given for payment of lands sold as swamp or overflowed lands, or if any of such certificates of sale or receipts be lost or destroyed, or beyond the control of the purchaser or his legal representative, then upon submission of the proof of such loss the Board shall order the amount paid thereon, or such portion of such amount as shall remain after making the deduction therefrom hereinafter provided for in certain cases, to be repaid to such purchaser or his legal representative, and the Secretary of State shall draw his warrant for the amount so ordered repaid whenever sufficient funds are in the Swamp Land Fund available for its payment.

## FOURTH AMENDMENT.

Strike out Section 4 of said bill and insert the following as Section 4:

"SECTION 4. The said Board is hereby authorized to cause suits to be instituted in the name of the State to set aside any deed issued by said Board upon fraudulent representations. If necessity requires, the Board is authorized to employ attorneys to defend the interests of the State or to institute suits for any just cause."

## FIFTH AMENDMENT.

Strike out Section 5 of said bill and insert the following as Section 5:

"SEC. 5. Any legal applicant to purchase swamp or overflowed lands who had complied with the provisions of an Act approved October 26, 1870, entitled an 'An Act Providing for the Selection and Sale of Swamp and Overflowed Lands belonging to the State of Oregon,' including the payment of the twenty per cent. of the purchase price, prior to January 17, 1879, shall, without reclamation, upon payment of the balance of the purchase price be entitled to and shall receive a deed for the land; *provided*, that such payment be made prior to January 1, 1889; and *provided further*, that no deed shall issue to any one person for more than 640 acres; *provided*, said applicant shall first surrender to the Board all certificates to him issued or in his hands for any said swamp lands forfeited by this Act; and *further provided*, that no actual settler is in possession of said 640 acres, or any portion thereof, under the Homestead or Pre-emption laws of the United States, or under a quit claim deed, or other evidence of purchase from such claimant.

## SIXTH AMENDMENT.

Amend by entering a new Section 6, to-wit:

"SEC. 6. In all sales or conveyances of lands made under the provisions of this Act, or which shall hereafter be made of swamp lands, an easement of thirty feet on each side of all section lines shall be reserved for a public highway."

## SEVENTH AMENDMENT.

Amend by adding Section 7, as follows:

"SEC. 7. All swamp or overflowed lands reverting to the State under the provisions of this Act shall be sold as provided in this Act, approved October 18, 1887, relating to swamp lands; *provided*, that actual settlers shall have the exclusive right to purchase the lands occupied, not exceeding 320 acres to any one person, for six months from the approval of this Act.

## EIGHTH AMENDMENT.

Add Section 8, as follows:

SEC. 8. Any actual settler who shall have purchased prior to February 1, 1887, from the original holder of any certificate, which is by this Act declared forfeited, any of the lands mentioned in this Act, shall, upon making to said Board satisfactory proof of such purchase, and of settlement and improvement of such land, be entitled to a deed to the land not exceeding 640 acres, to be selected in not more than two tracts, and the Board shall ascertain the amount paid by such settler to the original swamp land claimant. When such amount is so ascertained the Board shall charge said amount to said original swamp land claimant and shall deduct the same from any moneys paid by such original swamp land claimant for any lands by this Act declared void.

## NINTH AMENDMENT.

Make Section 6 read Section 9.

C. M. CARTWRIGHT,  
WILLIAM D. HARE,  
L. T. BARIN.

On motion of Mr. Hare, the amendments to S. B. No. 81 were adopted and agreed to.

On motion of Mr. Hare, the bill with amendments was ordered

engrossed and printed and made the special order for next Saturday at 10 o'clock A. M.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

### REPORT.

SENATE CHAMBER,  
SALEM, February 9, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 49, 57, 73, 77, 98, 113, 131 and 139, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

H. B. No. 36 coming on for consideration, under special order, Mr. Wager moved that the consideration of H. B. No. 36 be further deferred until 10 o'clock next Friday.

Mr. Siglin moved to amend by referring the bill to the Committee on Railroads, with instructions to report next Friday, which motion was lost.

Mr. Hare suggested that this bill be made the special order next Friday at 2 o'clock P. M. and considered by the Committee of the Whole, and all parties interested in the passage of this bill be invited to participate in its consideration.

Mr. Wager accepted Mr. Hare's suggestion as part of his motion, which motion prevailed.

It was therefore ordered that the consideration of H. B. No. 36 be made the special order for 2 o'clock P. M. next Friday in the Committee of the Whole and that all parties interested be invited to participate and that the Clerk send invitations to all managers or other officials of railroads operated in Oregon.

On motion of Mr. Cauthorn, 100 copies of H. B. No. 36 were ordered printed.

Mr. Watts, Chairman of the Committee on Education, submitted the following

### REPORT.

SENATE CHAMBER,  
SALEM, January 28, 1887. }

*Mr. President*—Your Committee on Education, to whom was referred S. B. No. 59, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the following amendments:

## FIRST AMENDMENT.

After the word "Assembly," in the enacting clause, insert the words "of the State of Oregon," so that the enacting clause as so amended shall read as follows:

*Be it enacted by the Legislative Assembly of the State of Oregon:*

## SECOND AMENDMENT.

In Section 3, printed bill, line three, strike out the second word "twenty-five" and insert instead the word "five;" also, in the same line strike out the seventh word "fifty" and insert the word "twenty-five;" also, in the same line strike out the word next to the last word "fifty" and insert the word "twenty-five."

## THIRD AMENDMENT.

In Section 3, line four of printed bill, strike out the fourth and fifth words "one hundred" and insert "fifty," so that the Section as thus amended shall read as follows:

SECTION 3. Any parent, guardian, or other person, having control or charge of any child or children, failing to comply with the provisions of this Act, shall be liable to a fine of not less than five dollars nor more than twenty-five dollars for the first offense, nor less than twenty-five dollars nor more than fifty dollars for the second and each subsequent offense, besides the cost of prosecution. And as so amended that the bill do pass.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts the amendments reported to S. B. No. 59 were adopted.

On motion of Mr. Watts, the bill was ordered engrossed for a third reading to-morrow.

Mr. Watts, Chairman of the Committee on Education, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, January 31, 1887. }

*Mr. President*—Your Committee on Education, to whom was referred Senate Bill No. 106, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

J. W. WATTS,  
Chairman.



Mr. Chamberlin moved that the rules be suspended and the bill be read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Cartwright, Rinehart, Siglin—4.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Shupe, Simon, Steel, Williams, Watts, Mr. President—21.

Nays—Messrs. Dawson, Irvine, Veatch, Wager—4.

Absent—Messrs. Cartwright, Rinehart, Siglin, Stanley, Weatherford—5.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Watts, Chairman of the Committee on Education, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 31, 1887. }

*Mr. President*—Your Committee on Education, to whom was referred Senate Bill No. 121, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the following amendments:

#### FIRST AMENDMENT.

In printed bill in Section 13 in line 2 strike out the word "twelve" and insert "ten."

#### SECOND AMENDMENT.

In Section 15 in line 2 strike out all after the figures "1882" and all of line 3 up to the word "also."

And as thus amended report it back without recommendation.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, the amendments reported to S. B. No. 121 were adopted and agreed to.

On motion of Mr. Wager, the bill was ordered engrossed for a third reading to-morrow.

Mr. Watts, Chairman of the Committee on Education, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 8, 1887. }

*Mr. President*—Your Committee on Education, to whom was referred S. B. No. 147, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate without recommendation.

J. W. WATTS,  
Chairman.

On motion of Mr. Dimick, S. B. No. 147 was ordered engrossed for a third reading to-morrow.

Mr. Watts, Chairman of the Committee on Education, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, January 31, 1887. }

*Mr. President*—Your Committee on Education, to whom was referred S. B. No. 116, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it be laid on the table, as the same subject matter was considered in S. B. No. 59.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, S. B. No. 116 was laid on the table.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 9, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in Senate substitute for H. J. R. No. 10.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 8, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has appointed Messrs. Maxwell, A. M. Lafollett and Vanderpool as members on the part of the House of the Joint Committee to examine into and report upon the condition of the Blind School.

And the same is herewith transmitted.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 9, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. R. No. 14.

And the same is herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Looney, Chairman of the Committee on Agriculture, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 2, 1887. }

*Mr. President*—Your Committee on Agriculture, to whom was referred Senate Bill No. 126, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate without recommendation.

J. B. LOONEY,  
Chairman.

On motion of Mr. Chandler, S. B. No. 126 was re-committed to the Committee on Agriculture for corrections.

## REPORTS OF SPECIAL COMMITTEES.

Mr. Chamberlin, Chairman of the Joint Committee appointed under H. C. R. No. 1, to investigate the management of the Oregon Insane Asylum, submitted the following

## REPORT.

*To the Senate and House of Representatives of the Legislative Assembly of the State of Oregon:*

GENTLEMEN: The Joint Committee appointed under H. C. R. No. 1, to investigate the management and condition of the Oregon Insane Asylum, report that the duty assigned to the Committee has been discharged, and we find that the patients are well supplied with all things necessary for their comfort, as far as the management is concerned.

The food furnished the inmates is wholesome and abundant. The greatest attention is paid to personal cleanliness.

The wards are clean and neat, with as perfect sanitary and hygienic surroundings as possible under all the circumstances.

We were pleased to notice the ample provisions made for mental diversion, so important to this class of patients, such as chapel exercises, music, dancing, etc.

The books of account are neatly and accurately kept. The institution was built with a capacity for 415 patients, and already there are under treatment 437 patients. This disparity between the accommodations and the number of patients is constantly increasing, greatly to the detriment of proper treatment of the patients. To remedy this evil, we earnestly recommend that immediate provision be made for the construction of a three-story wing at the eastern extremity of the present south wing. The addition should contain three wards, each with a capacity for thirty-three patients, and substantially similar in general arrangement and construction to the wards already built.

We also recommend that the institution be made independent as regards the water supply. To that end suitable reservoirs should be constructed and supplied with pipes and pumps, and thus the condition and safety of the buildings and the occupants will be secure. Proper fire escapes should also be placed on the outside of the building. Most of the walls in the wards where the patients are kept are lathed and plastered on studding. The plaster is being constantly broken by the inmates, and through the holes thus formed fire might at any time be communicated to the inside of the walls. To obviate this constant danger, as well as to improve the appearance of the walls, they should be properly wainscoted, say to the height of seven feet, with some suitable wood. The building also needs thorough renovation by kalsomining and painting on the inside; and an addition to the laundry for drying clothes should be built, as the drying room now in use is insufficient and needed for other purposes. The furnace under the central part of the building is in-

sufficient to heat that part properly, and should be replaced by a new one of greater and adequate capacity.

We recommend that proper steps be taken and provisions made for the foundation of a library for the institution under the direction of the Superintendent. In order to suitably accommodate the enlargement of the buildings, as well as to meet the growing wants of the constantly increasing number of patients, the institution should have more land. Real estate available for that purpose is not likely to be cheaper than at the present time, and the necessary land should be at once secured, especially as such property is always a safe investment. To carry out the foregoing recommendations, we estimate that the following appropriations are necessary:

Construction of new wing and furniture.....	\$ 37,000
Reservoirs, pumps, etc.....	5,000
Wainscoting halls and corridors.....	2,500
Painting and kalsomining.....	2,500
Addition to laundry.....	1,250
New furnace.....	1,000
Fences on grounds and farm.....	2,000
Purchase of land.....	4,000
Library.....	300
Total.....	\$55,550

Respectfully submitted,

J. H. ROBERTS,  
Chairman House Committee.  
M. L. CHAMBERLIN,  
Chairman Senate Committee.

*Salem, Or., January 27, 1887.*

On motion of Mr. Chamberlin, the report was ordered spread on the minutes and the matter referred to the Committee on Ways and Means.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

#### REPORT.

SENATE CHAMBER, }  
SALEM, February 9, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 68, 115, 127, 148, 154 and 164, also 51, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

S. B. No. 166 coming on for consideration, Mr. Hare moved that the Senate resolve itself into a Committee of the Whole to consider S. B. No. 166 by Sections, which motion prevailed, and the Senate

resolved itself into a Committee of the Whole with Mr. Hare as Chairman.

Mr. Hare, Chairman of the Committee of the Whole, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, February 9, 1887. }

*Mr. President*—The Committee of the Whole Senate, to whom was referred Senate Bill No. 166, direct me to report that they have had said S. B. No. 166 under consideration, and come to no conclusion thereon and direct me to so report to the Senate and ask leave for said Committee to sit again, and also direct me to ask the Senate to have printed for the use of the Committee the amendment of Senator Wager to Section 12 of said bill.

WM. D. HARE,  
Chairman.

On motion of Mr. Hare, the report of the Committee of the Whole Senate was adopted.

On motion of Mr. Siglin, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

• ———  
THURSDAY, FEBRUARY 10, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, February 10, 1887. }

The Senate met at the hour appointed for its meeting and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Cauthorn, Emmett, Rinehart, Stanley and Weatherford.

Prayer was offered by Rev. Bowersox of Salem.

The reading of the Journal of yesterday's proceedings was dispensed with.

Mr. Simon, having obtained unanimous consent, introduced S. J. R. No. 15 as follows:

## SENATE JOINT RESOLUTION NO. 15.

WHEREAS, The Legislative Assembly of the State of Oregon at the Session of 1885, by a vote as shown by the Journal thereof, did agree to and pass Senate Joint Resolution No. 12.

WHEREAS, The said Legislative Assembly did and has at the present, the regular Session of 1887, by a vote as shown by the Journals thereof, agreed to and concurred in said Senate Joint Resolution No. 12 of the Session of 1885; therefore,

*Be it Resolved by the Senate, the House concurring :*

That it be and is hereby made the duty of the Governor of the State of Oregon, and that he be and is hereby commanded and directed and empowered, by proclamation thereof duly made, to cause the same to be published as required by the Constitution of the State and submit to the electors at a special election to be held on the first Tuesday after the first Monday in November, A. D. 1887.

Senate Joint Resolution No. 12 of the Session of 1885, as concurred in by the Legislative Assembly at the Session of 1887, is as follows:

## • SENATE JOINT RESOLUTION NO. 12.

*Be it Resolved by the Senate, the House concurring :*

That the following amendment to the Constitution of the State of Oregon be and hereby is proposed.

## ARTICLE II.

That Section 1 of Article XIII. of the Constitution of the State of Oregon be and the same hereby is abrogated, and in lieu thereof Section 1 of Article XIII. of the Constitution of the State of Oregon shall be as follows:

SECTION 1. The Governor, Secretary of State, Treasurer of State, Judges of the Supreme Court and all other State officers of this State shall each receive an annual salary of such sum as the Legislative Assembly shall hereafter by law for each of such officers provide; *provided*, that when the Legislative Assembly shall have by law fixed the salary of any such officer such salary shall neither be

increased nor diminished during the term for which the incumbent of such office shall have been elected or appointed.

Adopted by the Senate, February 18, 1885.

WM. WALDO,  
President of the Senate.

Concurred in by the House, February 18, 1885.

W. P. KEADY,  
Speaker of the House.

Adopted and agreed to February 8, 1887, by the Senate.

E. G. HURSH,  
Chief Clerk.

Adopted by the House January 26, 1887.

A. C. JENNINGS,  
Chief Clerk.

Mr. Simon moved the adoption of S. J. R. No. 15.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Rinehart—1.

So S. J. R. No. 15 was declared adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 9, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 55, being a bill for an Act to amend Section 5 of Chapter 7, of the Miscellaneous Laws of Oregon.

And the same is herewith returned for enrollment.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 9, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 54.

And the same is herewith returned for enrollment.

A. C. JENNINGS,  
Chief Clerk.



## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 9, 1887. }

*To the Honorable the President of the Senate:*

I am directed by the Governor to inform you that he has signed the following bills:

## HOUSE BILL NO. 26.

"An Act to incorporate the town of Heppner, Morrow County, Oregon."

## HOUSE BILL NO. 199.

An Act to amend an Act entitled "An Act to incorporate the city of Eugene," approved October 22, 1864; also to amend an Act entitled "An Act to amend Sections 2 and 7 of an Act, entitled an 'Act to incorporate the city of Eugene,'" approved October 19, 1880; also to amend an Act, entitled "An Act to amend an Act, entitled an Act to amend Sections 2 and 7 of an Act, entitled 'An Act to incorporate the city of Eugene,'" approved October 6, 1882.

## HOUSE BILL NO. 113.

An Act to incorporate the town of Sellwood, in Multnomah and Clackamas Counties, State of Oregon.

## HOUSE BILL NO. 169.

An Act to amend an Act, entitled "An Act to incorporate the town of Springfield, Lane County, Oregon, approved February 25, 1885, and to repeal all Acts and parts of Acts in conflict therewith."

## HOUSE BILL NO 31.

An Act to incorporate the town of Josephine, in Union County, Oregon.

## HOUSE BILL NO. 93.

An Act to amend Section 7 of an Act entitled, "An Act to create the County of Gilliam and to fix the salaries of County Judge and Treasurer thereof," approved February 25, 1885.

## HOUSE BILL NO. 52.

An Act to amend Sections 7, 8 and 9 of an Act entitled, "An Act to create the County of Morrow, and to fix the salaries of County Judge and Treasurer," approved February 16, 1885.

## HOUSE BILL NO. 203.

An Act to amend Section 1 of Article I., Section 6 of Article III., Section 2 of Article IV., Sections 9, 10, 11, 12 and 13 of Article VI., and to amend Article VI. by adding two Sections thereto to be designated Sections 34 and 35 of an Act entitled "An Act to incorporate the city of East Portland," and to repeal an Act entitled "An Act to incorporate the city of East Portland, approved February 24, 1885."

## HOUSE BILL NO. 128.

An Act to incorporate the town of Drain in Douglas County and State of Oregon.

## HOUSE BILL NO. 247.

An Act to amend Section 31 of an Act entitled "An Act to incorporate the city of Ashland, in the County of Jackson, State of Oregon, and to repeal an Act to incorporate the town of Ashland in the State of Oregon, approved October 13, 1874, and also an Act entitled an Act to amend an Act to incorporate the town of Ashland in Jackson County, approved October 9, 1882, which Act was approved February 24, 1885, and also to amend said Act by adding thereto an additional section designated as Section 95."

## SENATE BILL NO. 89.

An Act to provide for the foreclosure of the mortgage executed by the Baker City Academy to the State of Oregon, and to provide for the sale of said mortgaged premises, if the title thereto is acquired by the State of Oregon.

## SENATE BILL NO. 67.

An Act authorizing County Courts to build armories in cities of over two thousand inhabitants and to provide for the use thereof.

And the same have been filed this day in the office of the Secretary of State.

WM. A. MUNLY,  
Private Secretary.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 10, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 12 and 122, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

Mr. Williams, Chairman of the Committee on Enrolled Bills, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 11, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred S. B. No. 3, S. J. M. No. 6 and S. J. R. No. 12, beg leave to report that they have had the same under consideration and would respectfully report it back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

Mr. Veatch obtained unanimous consent to have in the enrolled copy of Senate Bill No. 3 inserted in the ninth section the date of "4th day of April, 1887," which was so ordered and done.

At this time the special order, being the consideration of H. B. No. 40, was taken up.

The courtesies of the Senate were extended to Hon. John Myers of Clackamas, and he was provided with a seat within the bar.

H. B. No. 40 was read the third time, and the question being, "Shall the bill pass?"

Pending the argument on this question, on motion of Mr. Chandler, the Senate adjourned

### AFTERNOON SESSION.

The Senate met at the regular hour appointed for meeting, and was called to order by the President.

The roll was called, and all the Senators were present except Mr. Chandler.

The consideration of the question on H. B. No. 40 of "Shall the bill pass?" was now continued.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Chandler, Chamberlin, Dimick, Emmett, Lee, Looney, Shupe, Stanley, Steel, Williams, Watts, Mr. President—14.

Nays—Messrs. Bird, Coleman, Cartwright, Cauthorn, Dawson, Gray, Irvine, Miller, Siglin, Simon, Veatch, Weatherford and Wager—13.

Absent—Messrs. Hare, Hamilton and Rinehart—3.

So H. B. No. 40 was declared not passed.

### MESSAGE FROM THE SECRETARY OF STATE.

STATE OF OREGON,  
OFFICE OF THE SECRETARY OF STATE,  
SALEM, February 10, 1887. }

*To the Honorable the Senate of the Legislative Assembly of the State of Oregon:*

GENTLEMEN: In accordance with Senate Concurrent Resolutions Nos. 8 and 10, I have caused to be printed 250 copies of an abstract from the reports of railroad companies doing business in this State for year ending June 30, 1886, and herewith transmit a copy of said abstract.

Very respectfully,

Your obedient servant,

GEO. W. McBRIDE,

Secretary of State.

The following is the abstract referred to in the foregoing communication:

D, value of road, equipment, report incomplete. 1, 7.

I hereby certify that the foregoing statement is, as to the facts therein contained, a correct abstract from the annual reports of railroad companies for the year ending June 30, 1904, as the same appear on file in this office.

in witness whereof I hereto set my hand and affix the seal of the State this 6th day of February, 1867.

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GEORGE W. McNEILLY, Secretary of State.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

REPORT.

SENATE CHAMBER, }  
SALEM, February 10, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 59, 121 and 147, beg leave to report that they have had the same under consideration, and would respectfully report them back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

Mr. Williams, Chairman of the Committee on Enrolled Bills, submitted the following

REPORT.

SENATE CHAMBER, }  
SALEM, February 11, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bills Nos. 54 and 55, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. J. R. No. 12 of 1885, S. J. M. No. 6 and S. B. No. 3. And the same are herewith returned for your signature.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Siglin, it was ordered that when the Senate adjourn it adjourn to meet at 7 o'clock this evening.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that

the House has concurred in S. J. R. No. 15, authorizing the Governor to call special election in November, A. D. 1887.

And the same is herewith returned for enrollment.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B. No. 3 and H. J. R. No. 10.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has ordered the return of S. J. R. No. 14 for its further consideration.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Gray, the consideration of S. B. No. 68, the special order now, was deferred and made the special order at 7:30 o'clock this evening.

The President announced that he was about to sign S. B. No. 3, H. B. No. 3 and S. J. R. No. 12, S. J. M. No. 6; also, H. J. R. No. 10, and shortly afterward stated that he had signed them.

The special order, being the consideration of S. B. No. 165, was taken up at this time.

Mr. Simon moved to amend S. B. No. 165 as follows:

FIRST AMENDMENT.

Amend Section 3 by striking out of line 6 of said Section of printed bill the words "two Senators" and insert "one Senator."

Insert after eighth line "the Counties of Douglas, Lane and Josephine shall constitute the Fifth Senatorial District and shall be entitled to one Senator jointly."

On question of the adoption of the foregoing amendment the ayes and nays were called for by Messrs. Weatherford and Coleman.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Looney, Miller, Simon, Steel, Williams, Watts, Mr. President—16.

Nays—Messrs. Coleman, Chandler, Cauthorn, Hare, Hamilton, Irvine, Siglin, Shupe, Stanley, Veatch, Weatherford, Wager—12.

Absent—Messrs. Lee, Rinehart—2.

So the foregoing amendment of Mr. Simon was adopted.

Mr. Weatherford moved to amend as follows:

#### SECOND AMENDMENT.

Amend Section 4, line 2, by striking out the word "five" and insert the word "four."

Amend line 4, same Section, by striking out the word "three" and insert the word four, as now appears in printed bill.

On motion of Mr. Weatherford, the Joint Committee on Apportionment and Redistricting the State into Senatorial and Representative Districts were instructed to examine the census returns of Lane and Linn Counties, and report this evening at 7:30 o'clock.

On motion of Mr. Siglin, the Senate adjourned.

#### EVENING SESSION.

The Senate met pursuant to adjournment, and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Miller, Stanley and Veatch.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B's Nos. 54 and 55.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.



The President announced that he was about to sign S. B. Nos. 3, 54 and 55, and shortly after stated that he had signed them.

On motion of Mr. Gray, the further consideration of the special order of S. B. No. 68 was deferred until to-morrow morning at 11 o'clock.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House hereby withdraws its request for the return of S. J. R. No. 14, as they do not now desire to further consider said resolution.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Dimick, Chairman of the Special Joint Committee, to whom was referred the matter contained in and provided for in S. J. R. No. 3, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 10, 1887. }

*Mr. President*—Your Special Joint Committee, to whom was referred the matter referred to under and by S. J. R. No. 3, beg leave to report that they have had the same under consideration, and would respectfully submit our report at this time, and ask that the same be ordered printed, and when printed a copy thereof be inserted in the Journal and made a part thereof.

J. B. DIMICK,  
Chairman.

On motion of Mr. Dimick the report was adopted, and 1,000 copies of the matter accompanying said report were ordered printed.

On motion of Mr. Hare, the special order, being the consideration of S. B. No. 165, was deferred until to-morrow, after the disposition of the Governor's veto message on S. B. No. 15.

Mr. Gray moved to reconsider the vote whereby it was ordered to defer the consideration, under special order, of S. B. No. 68 until to-morrow morning at 11 o'clock, which motion prevailed, and the motion upon vote duly taken was reconsidered.

On motion of Mr. Gray, S. B. No. 68 was taken up for consideration, and S. B. No. 68 was read the third time, and the question

being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Shupe, Simon, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Miller, Rinehart, Siglin, Stanley and Williams—5.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Simon, Chairman of the Judiciary Committee, having obtained unanimous consent, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 9, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred House Joint Resolution No. 1, Session of 1885, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

JOSEPH SIMON,  
Chairman.

Mr. Simon moved that H. J. R. No. 1, Session of 1885, be adopted. On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Chandler, Miller, Rinehart and Stanley—4.

So. H. J. R. No. 1 of 1885 was declared adopted and agreed to.

Mr. Barin having obtained unanimous consent called for the consideration of S. B. No. 164, and the same was read the third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Shupe, Simon, Steel, Veatch, Williams, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Miller, Rinehart, Siglin, Stanley and Weatherford—5.

So the bill was declared passed, and on motion of Mr. Barin the title of S. B. No. 164 was changed so as to read, "A Bill for an Act to authorize the construction of a wagon and passenger bridge across the Willamette River at Oregon City, Oregon," and the Clerk was instructed to make the change in the title, which being done, the title of the bill was ordered to stand as the title of the Act.

Mr. Dawson moved that the following be spread upon the Journal.

*Mr. President*—"I desire to have the following motion for reconsideration entered on the Journal:"

"I move that the vote by which H. B. No. 40 was defeated be reconsidered." A vote being taken the motion prevailed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 163.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 16, being a bill for an Act to incorporate the town of Prineville.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 151, being a bill for an Act to incorporate the town of Oakland.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

Mr. Watts moved that the rules be suspended and H. B. No. 18 be read a second time by title now.

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Shupe, Simon, Steel, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Miller, Rinehart, Siglin, Stanley and Veatch—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Watts was referred to a Special Committee consisting of the Senators from Yamhill County, with leave to report at any time.

Mr. Weatherford moved that the rules be suspended and H. B. No. 233 be taken up and read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Shupe, Simon, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Hare, Miller, Rinehart, Siglin, Stanley and Steel—6.

So the rules were suspended and the bill was read a second time by title.

Mr. Weatherford moved that the rules be further suspended and the bill be considered engrossed, read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Gray, Miller, Rinehart, Siglin and Stanley—6.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Miller, Rinehart, Siglin, Stanley and Watts—7.

So the bill was declared passed.

On motion of Mr. Simon, the motion whereby action upon S. B. No. 165 was postponed until to-morrow was reconsidered.

On motion of Mr. Simon, the motion, by which his amendment was made to Section 3 in S. B. No. 165, was reconsidered and, by unanimous consent, he withdrew said amendment.

On motion of Mr. Simon, further consideration of S. B. No. 165 was postponed until to-morrow immediately after acting upon the Governor's veto.

By unanimous consent, obtained by Mr. Cartwright, H. B. No. 104 was taken up for consideration.

Mr. Cartwright moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Emmett, Hare, Miller, Rinehart, Stanley—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Cartwright was referred to the Committee on Counties.

By unanimous consent, Mr. Simon introduced S. B. No. 172, being a bill for an Act to amend the charter of the city of Portland.

Mr. Simon moved that the rules be suspended and the bill be read a first time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Hare, Miller, Rinehart and Siglin—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Simon moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Chandler, Cauthorn, Chamberlin,

Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Coleman, Cartwright, Chandler, Dawson, Hare, Miller, Rinehart and Wager—8.

So the rules were suspended and the bill was read a second time by title.

Mr. Simon moved that the rules be further suspended and that the bill be considered engrossed, read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Cartwright, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—21.

Nays—Messrs. Chandler and Cauthorn—2.

Absent—Messrs. Barin, Coleman, Chamberlin, Hare, Miller, Rinehart and Wager—7.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?"

Pending the question, Mr. Simon moved a call of the house, and the following were found present:

Messrs. Allen, Coleman, Cartwright, Chandler, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Looney, Siglin, Shupe, Simon, Stanley, Steel, Weatherford, Wager, Watts, Mr. President—20.

Absent—Messrs. Barin, Bird, Cauthorn, Dawson, Irvine, Lee, Miller, Rinehart, Veatch and Williams—10.

The Sergeant-at-Arms brought in the absent members, and Mr. Simon moved that further call of the Senate be dispensed with, which motion prevailed.

The consideration recurring upon the question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Dawson, Lee, Rinehart and Williams—6.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Cartwright moved that the rules be suspended and S. B.

No. 168 be considered engrossed and read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chamberlin, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Chandler, Cauthorn, Dawson, Hare, Rinehart, Siglin and Williams—8.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Cartwright, Dawson, Dimick, Gray, Hamilton, Lee, Miller, Siglin, Simon, Steel, Williams, Wager, Watts, Mr. President—15.

Nays—Messrs. Coleman, Chamberlin, Emmett, Hamilton, Looney, Shupe, Stanley—7.

Absent—Messrs. Barin, Chandler, Cauthorn, Hare, Irvine, Rinehart, Veatch, Weatherford—8.

So the bill failed to pass.

Mr. Gray by unanimous consent introduced S. B. No. 173, being a bill for an Act fixing the compensation of the Sheriffs of Clatsop and Curry Counties for collecting taxes.

The bill was read the first time and passed to a second reading without a question.

Mr. Gray moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Siglin, Miller, Rinehart, Veatch—6.

So the rules were suspended and the bill was read a second time by title.

Mr. Siglin moved that the rules be further suspended and the bill be read a third time and placed upon its final passage.

On this question the roll was called and the vote was:



Those voting aye were:

Messrs. Allen, Bird, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Coleman, Cauthorn, Hare, Miller and Rinehart—6.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cauthorn, Hare, Miller and Rinehart—4.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Stanley, Chairman of the Special Committee, to whom was referred H. B. No. 12, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 9, 1887. }

*Mr. President*—Your Committee to whom was referred H. B. No. 12, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

A. C. STANLEY, }  
H. B. MILLER, } [Com.]

Chairman.

Mr. Stanley moved that the rules be suspended and the bill be read a third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Bird, Coleman, Chandler, Cauthorn, Miller, Rinehart and Weatherford—7.



So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Coleman, Chandler, Cauthorn, Miller, Rinehart and Weatherford—6.

So the bill was declared passed.

Mr. Siglin, having obtained unanimous consent, moved that the rules be suspended and S. B. No. 57 be read a third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Cartwright, Chandler, Chamberlin, Rinehart and Weatherford—7.

So the rules were suspended and S. B. 57 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cauthorn, Dawson, Emmett, Gray, Hare, Hamilton, Siglin, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—18.

Nays—Messrs. Cartwright, Chandler, Chamberlin, Dimick, Irvine, Lee, Looney, Veatch—8.

Absent—Messrs. Allen, Miller, Rinehart, Weatherford—4.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Dimick, having obtained unanimous consent, moved that the rules be suspended and H. B. No. 69 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Miller, Rinehart, Weatherford—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Dimick referred to the Committee on Counties.

E. G. HURSH,  
Chief Clerk.

FRIDAY, FEBRUARY 11, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, February 11, 1887. }

The Senate met at the hour appointed for its meeting and was called to order by the President.

The roll was called and all Senators reported present except Messrs. Barin, Coleman, Cartwright, Dimick, Hare, Miller, Rinehart and Stanley.

Prayer was offered by Rev. J. W. Harris.

On motion of Mr. Veatch the reading of the Journal of yesterday's proceedings was dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 152, being a bill for an Act to amend an Act entitled an Act to incorporate the town of Jacksonville.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed Senate Bill No. 153, being a bill for an Act to

amend an Act to incorporate the city of Portland, approved October 24, 1882.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed Senate Bill No. 17.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that S. B. No. 90 has been passed by the House.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 149, being a bill for an Act to amend an Act to incorporate Dallas city, etc.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that

the House has passed S. B. No. 102, being a bill for an Act to amend the Act incorporating the city of Silverton.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted H. J. R. No. 11, authorizing the Secretary of State to have the Journals of the Legislative Assembly copied for the use of the State Printer.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. J. R. No. 11, accompanying the foregoing message, was read and Mr. Gray moved to adopt and agree to H. J. R. No. 11.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cartwright, Lee, Miller, Rinehart and Stanley—6.

So H. J. R. No. 11 was declared adopted.

Mr. Williams, Chairman of the Committee on Enrollment, submitted the following

### REPORT.

SENATE CHAMBER,  
SALEM, February 11, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred S. J. M. No. 7 and S. J. R. No. 14, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

At this time came on the consideration of the Governor's veto message to S. B. No. 15, under special order, and the question being

“ Shall the bill pass notwithstanding the objection and veto of the Governor?” the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—23.

Nays—Messrs. Cauthorn, Dawson, Irvine, Siglin, Veatch and Weatherford—6.

Absent—Mr. Rinehart—1.

So S. B. No 15 was declared passed notwithstanding the Governor's objections and veto.

The President announced that he was about to sign S. B. No. 15, as having passed over the Governor's veto, and shortly afterward stated that he had signed it.

The courtesies of the Senate were extended to Hon. A. M. Brown, and he was provided with a seat within the bar.

On motion of Mr. Simon, the special order of S. B. No. 165 was deferred for ten minutes.

Mr. Allen, Chairman of the Special Joint Committee on Fishing, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 8, 1887. }

*Mr. President*—Your Joint Committee on Fisheries, to whom was referred Senate Bills Nos. 29 and 72 and House Bills Nos. 74 and 184, beg leave to report that they have had the same under consideration, and would respectfully report to the Senate a substitution therefor herewith transmitted and entitled “Senate Bills No.” and recommend that they do pass.

We would further recommend that the Committee or another Special Joint Committee to be appointed be empowered to employ a clerk, visit the fisheries on the Columbia River during the fishing season of the year 1887 and report to the next regular Session of the Legislative Assembly by bill or otherwise. We would further recommend that a Joint Memorial be adopted directed to the Legislature of Washington Territory, praying that body to co-operate with this State in such legislation as will promote the propagation and protection of the fish in the Columbia River and its tributaries.

JOHN C. ALLEN,  
Chairman.

On motion of Mr. Allen, the report was adopted.

Mr. Allen moved that the rules be suspended and S. B. No. 174, submitted as a substitute for S. B's Nos. 29 and 72 and H. B's Nos. 74 and 184, be read a first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Rinehart—2.

So the rules were suspended and S. B. No. 174 was read a first time by title, and passed to a second reading without a question.

Mr. Allen moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Coleman, Dawson, Dimick, Rinehart, Siglin, Stanley—6.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Hare was ordered printed and re-committed to the Committee on Fishing, with leave to report at any time.

Mr. Gray moved that the rules be suspended and S. B. No. 175, submitted as a substitute for S. B. No. 72, be read 7 first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Chandler, Hare, Steel, Veatch—4.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Gray moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Stanley, Steel, Veatch—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Hare was ordered printed and recommitted to the Committee on Fishing with leave to report at any time.

The special order, being the consideration of S. B. No. 165, coming up, Mr. Hare, Chairman of the Committee on Apportionment, reported that they found no errors in the census reports in the Secretary of State's office.

The question now being on the adoption of Mr. Weatherford's amendment and a vote being taken, the same was lost.

Mr. Miller moved to amend as follows:

#### FIRST AMENDMENT.

Strike out the word "and" in Section 3, line 9, between the words "Coos, Curry" and add after the word "Curry" "and Josephine," and strike out in line 13 the word "Josephine," as it appears in printed bill.

A vote being taken on the adoption of the amendment the same resulted in its adoption.

#### SECOND AMENDMENT.

Mr. Simon moved to amend as follows:

Strike out of Section 3, line 13, in printed bill, the word "Jackson" and insert the word "Crook." Strike out of Section 3, line 35, printed bill, the word Crook.

A vote being taken on the above two amendments the same resulted in the adoption of the same.

#### THIRD AMENDMENT.

Mr. Simon moved to amend as follows:

Strike out of Section 3, line 39, printed bill, the word "Morrow" and insert "Union," and insert after the word "Grant" in the forty-fifth line the word "Morrow."

On a vote being taken the above amendment was adopted.

## FOURTH AMENDMENT.

Mr. Siglin moved to amend as follows:

Amend Section 4, line 9, printed bill, the Counties of Coos and Curry shall constitute the Fifth Representative District and be entitled to two Representatives.

A vote being taken on the adoption of the above amendment the same was lost.

## FIFTH AMENDMENT.

Mr. Simon moved to amend as follows:

Strike out of printed bill all of Section 5, after the word "reside."

A vote being taken on the adoption of said amendment the same was adopted.

On motion of Mr. Hare, the bill as amended was ordered engrossed and made the special order for 3:30 o'clock this afternoon.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. J. M. No. 7 and S. J. R. No. 14.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 30, being a bill for the more efficient organization of the Militia of the State of Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Gray moved that the rules be suspended and H. B. No. 30, accompanying the foregoing message, be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cauthorn, Chamberlin, Daw-



son, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Rinehart, Simon, Steel, Williams, Weatherford, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Cartwright, Chandler, Dimick, Hare, Miller, Siglin, Shupe, Stanley and Veatch—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Gray moved that the rules be further suspended and the bill read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford Wager, Watts, Mr. President—29.

Nays—None.

Absent—Messrs. Cartwright and Veatch—2.

So the rules were suspended and the bill was read a second time by title.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 26, being a bill for an Act to amend the charter of the city of Salem.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 56, being a bill for an Act amending an Act, approved October 25, 1888, relating to Sheriff's fees, so as to include Coos and Curry Counties.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 56, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Gray moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cartwright, Cauthorn, Steel and Williams—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Hare was referred to the Committee on Counties, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 254, being a bill for an Act to provide County Commissioners for Columbia County, State of Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 254, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Gray moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, • Veatch, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Miller, Steel and Williams—3.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Gray moved that the rules be further suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Cham-

berlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Veatch, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Cartwright, Miller, Rinehart, Steel, Williams and Weatherford—6.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Veatch, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Cartwright, Miller, Rinehart, Steel, Williams and Weatherford—6.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 109, being a bill for an Act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 109, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Dimick moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Veatch, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Miller, Rinehart, Steel, Williams and Weatherford—5.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Simon moved that the rules be further suspended and the bill be read a third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Veatch, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Miller, Rinehart, Steel and Williams—4.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Wager, Watts, Mr. President—22.

Nays—Messrs. Coleman, Chandler, Hamilton and Veatch—4.

Absent—Messrs. Miller, Steel, Williams and Weatherford—4.

So the bill was declared passed.

The President announced that he was about to sign S. J. M. No. 7 and S. J. R. No. 14, and shortly afterwards stated that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 9, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed House Bill No. 87, being a bill for an Act to provide for publishing reports of County finances and to pay for the same.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Chamberlin moved that the rules be suspended and H. B. No. 87, accompanying the foregoing message, be read a first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Weatherford, Wager, Watts, Mr. President—27

Nays—None.

Absent—Messrs. Miller, Steel and Williams—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Chamberlin moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley Veatch, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Miller, Steel, Williams and Weatherford—4.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Chamberlin moved that the rules be further suspended and the bill be read the third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Miller, Steel, Williams and Weatherford—4.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Hare, Miller, Steel, Veatch, Williams, Weatherford—6.

So the bill was declared passed.

On motion of Mr. Shupe, the Senate adjourned.

## AFTERNOON SESSION.

The Senate met at the hour appointed for its meeting and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Allen and Williams.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 9, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 90, being a bill for the relief A. W. Presley of Jackson County, Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Siglin moved that the rules be suspended and H. B. No. 90, accompanying the foregoing message, be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Allen and Steel.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Siglin moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Allen, Coleman, Steel, and Williams—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Hare was referred to the Committee on Claims.

Mr. Barin, Chairman of the Special Committee of Senators, to whom was referred Senate Bill No. 91, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, February 8, 1887. }

*Mr. President*—Your Special Committee to whom was referred Senate Bill No. 91, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following additions and amendments, namely:

FIRST AMENDMENT.

Strike out Section 1 and insert in lieu thereof the following:

SECTION 1. That the Governor, Secretary of State and the State Treasurer are hereby created a Board, under the name and style of the "Oregon State Domestic Animal Disease Commission." Said Commission shall appoint a competent and skilled Veterinary Surgeon for the State, who shall hold the office for one year or until his successor is appointed.

SECOND AMENDMENT.

Strike out Section 2 and insert in lieu thereof the following:

SECTION 2. Said Veterinary Surgeon, before he enters upon the duties of his office, shall take and subscribe to the Constitutional oath of office and file the same with the Secretary of State.

THIRD AMENDMENT.

Strike out Section 5 and insert in lieu thereof the following:

SECTION 5. It shall be the duty of the Stock Inspector of each County who discovers, suspects or has reason to believe that any domestic animal or animals in his County is affected with any dangerous contagious disease to immediately report such fact to the State Veterinarian.

FOURTH AMENDMENT.

Strike out lines 1 and 2 in Section 6 and insert in lieu thereof the following:

SECTION 6. It shall be the duty of said State Veterinarian upon receipt of such information from a Stock Inspector of any County that any contagious or infectious disease does exist.

FIFTH AMENDMENT.

Amend Section 7 by inserting after the word "premises" in line 5 of said section the following: "And keep all stock cars in a cleanly and healthy condition."

SIXTH AMENDMENT.

Amend Section 8 by striking out in line 5 of said Section, after the "regulations," the words "it shall notify," and by striking out in said line, after the word "Governor," the words "thereof, who."

SEVENTH AMENDMENT.

Amend Section 10 by striking out in line 3 of said Section, after the word "amount," the words "in their judgment;" and by striking out in said line 3 all after the word "entitled" up to the word "to" in the fifth line of said Section 10, and insert in lieu thereof the word "and;" also strike out in said line 5 of said Section, after the word "State," the word "who."

EIGHTH AMENDMENT.

Amend Section 12 by inserting after the word "which" in line 10 of said Section the words "he, or;" also amend Section 12 by adding thereto the following: *Provided also*, that horses running on the range within this State infected with distemper, lung or mountain fever shall be exempt from the operation of this Act.

NINTH AMENDMENT.

Amend Section 18 by adding after the word "commissions" in the last line of said Section the following: *Provided*, that sheep shall be exempt from the operation of this Act.

TENTH AMENDMENT.

Amend Section 21 by striking out in line 2 of said Section the words "Governor, which report shall be transmitted to the."

L. T. BARIN,  
Chairman.



On motion of Mr. Barin, the amendments were adopted.

On motion of Mr. Barin, the bill as amended was ordered engrossed, printed and made a special order for next Tuesday at 2 o'clock P. M.

Mr. Irvine, by unanimous consent, called up H. B. 248, which was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Hare, Lee, Siglin and Steel—4.

So the bill was declared passed.

Having obtained unanimous consent, Mr. Coleman called up S. B. No. 131, and upon his motion was made a special order for 8 o'clock to-night.

On motion of Mr. Shupe, the special order set for this time was postponed ten minutes.

Mr. Shupe, Chairman of the Committee appointed in pursuance of Senate Concurrent Resolution No. 4, submitted the following

#### REPORT.

SALEM, OREGON, }  
February 4, 1887. }

*To the Honorable the Senate and House of Representatives of the Legislative Assembly of the State of Oregon:*

Your Joint Committee appointed in pursuance of Senate Concurrent Resolution No. 4, providing that a Joint Committee of five be appointed to examine the work done by the State Board of Immigration, and to report as to the advisability of abolishing or continuing said work, beg leave to report that, in accordance with the provisions of said Resolution, we went to Portland and made a careful and thorough examination of the work of the Board. The rooms or office occupied by the Board are located at the foot of Ash street, opposite the wharf where are landed all emigrants coming by the way of the Northern Pacific and Oregon Short Line Railroads. The location is a good one and is perhaps the best that can be obtained.

The display of the products of the State, consisting of grains, fruits, vegetables, minerals and of various kinds of timber, is quite extensive, and we find every County in the State represented by

something. In fact, we find that all available space in the office is taken up, and to add to this display would necessitate enlarging the office. We find, however, that many Counties are not fully represented, in that the products of the County are not fully displayed. Counties should see to it, if the Board is to be continued, that a more complete display of products is placed in the rooms of the Board. According to the reports of the Secretary, compiled from records in the office of the Board, about 16,500 people have visited the rooms of the Board in pursuit of information that would lead them to select a home.

It is also safe to say that about one-half this number have found homes in this State. Of those who have settled a large per cent. are men of families and have come with money to purchase and build up homes. To arrive at a correct estimate of the increase of the taxable property of the State, by reason of immigration would be almost an impossibility. According to the report of the Secretary of State, the taxable property of this State, as returned by the Assessors of the various Counties, aggregates the sum of \$76,567,795 00 for the year 1885, and \$79,128,778 00 for the year 1886, showing an increase for the year 1886 over 1885 of \$2,560,983 00.

Reports on file in the office of the State Board of Immigration, show that since June 1, 1886, persons representing the total sum of \$1,237,800 00 have found homes in the various Counties of this State. This makes a total sum of \$3,798,783, as an increase of taxable property of the State within the past eighteen months. It is safe to say that this does not represent the increase of taxable property by one-half. The population of this State, according to the census returns of 1885 was 207,450, and is now generally believed to be about 260,000, making an increase in population in the year past of 52,550. The census returns of 1885 and returns of the assessors of the various Counties of the State show that the total amount of taxable property of the State to each person residing within the State is \$370, and allowing that the present population is 260,000, which will show that the increase of taxable property for the year is \$19,443,500 00. Granting that only about one-fourth of this increase of wealth to the State was brought about by and through the medium of the Board of Immigration, we have an increase through this source of \$4,860,875 00, which at the present rate of taxation for State purposes, brings into the State Treasury the sum of about \$15,000.

The Board now has on hand about 26,000 copies of the pamphlet "Oregon As It Is" and 30,000 copies of German and Scandinavian circulars, and 3,000 books furnished by the various counties of the State. Since its organization the Board has distributed about 400,-

000 copies of literature and pamphlets in relation to the resources of the State, all of which have contained an invitation to the person receiving it to come to Oregon, and call at the office of the Board of Immigration and obtain free of charge information in relation to suitable localities in which to settle. To abolish the office at this time would be a breach of faith on the part of the State and would leave emigrants at the mercy of real estate agents and speculative sharps, many of whom no doubt would represent themselves to be agents of the State, thereby deceiving the emigrant and possibly causing many to return from the State convinced that a serious wrong had been perpetrated, and feeling that they had been basely deceived. In the matter of the reduction of rates by railways we find that an appeal was made to all railways operating in this State for reduced rates to immigrants seeking homes with us, and the only company that responded at that time was the Oregon & California Railroad, who granted a rate of three cents per mile, which has ever since been maintained.

The Oregon Railway and Navigation Company granted round trip tickets at one and one-fifth the regular rate, which to an immigrant was no reduction, as a person seeking to settle would not wish to return to Portland. It was not and should not be the desire of the Board to induce immigrants to return to Portland, but to induce them to settle in the County to which they should go. In this manner, and through the action of a corporation which now holds the power, Eastern Oregon has not realized as much benefit as should have been. In November, 1885, the O. R. & N. Company, at the solicitation of a Committee of the Legislature, then assembled in Special Session, agreed to, and did grant special rates, the same as were granted by the O. & C. R. R. One hundred and thirty-five tickets were issued, and the order or agreement was rescinded or abrogated on the order of the officials against the advice of M. C. H. Prescott, the Manager. Since that time the old rates have prevailed. The Oregon Pacific Railroad gives rates at three cents per mile, and the Narrow Gauge System gives a rate at present—a recent order—of two cents a mile. Your Committee find that complaints have been made in the public prints that immigrants have not been distributed over the entire State, which has created in some localities a strong opposition to the continuance of the Board. That the people of all sections may feel that their interests are more or better guarded, we recommend that there be a general reorganization of the Board, so that a Commissioner may reside at the County Seat of each County, and also that more particular attention be paid to the collection and dissemination of information concerning our facilities for manufacturing. Therefore, your Committee have reported back to the Senate S. B. No. 130 with

sundry amendments, and recommend that the amendments be adopted, and that as amended the bill pass. The substance of the bill as reported is as follows: That there be created a Board to consist of one member from each County, which shall meet semi-annually, and the member from each County shall be the local agent for the Board for that County, and shall prepare or have prepared for the Board a proper representation or descriptive circular of his County for the use of the Board. Otherwise than in this manner the work of the Board shall continue as now carried on.

We have employed a clerk for five days, and recommend that he be paid for his services five dollars per day and mileage to and from Portland from this place, and that the Secretary of State be directed to draw a warrant for the mileage and per diem of the clerk on the certificate of the Chairman of this Committee.

(Signed)

JOHN H. SHUPE,  
Senate Chairman.

C. F. HICKS,  
House Chairman.

#### REPORT.

SENATE CHAMBER,  
SALEM, February 4, 1887. }

*Mr. President*—Your Joint Committee appointed under and in accordance with Senate Concurrent Resolution No. 4, to whom was referred S. B. No. 130, beg leave to report that they have had the same under consideration, and would respectfully recommend the following amendments thereto, to-wit:

#### FIRST AMENDMENT.

In Section 1, line 2, strike out the word "five" and figure "5" and insert in lieu thereof the word "one."

In lines 2 and 3 of the same section strike out the word "members" and insert in lieu thereof the word "member."

In line 3 of Section 1 strike out the first "comma" and insert preceeding the word "to" the words "from each County in this State."

#### SECOND AMENDMENT.

In line 3 of Section 3 strike out the words "and twenty five" and also the figures "(\$125)."

In line four of Section 3, strike out the words "as Traveling Commissioner and Reporter" and insert in lieu thereof the words, "Under the direction of said Board."

## THIRD AMENDMENT.

Amend Section 4 so as to read as follows, to-wit:

SECTION 4. It shall be the duty of each member of the Board, under the instructions of the Board, to examine the various industries and resources of his County, and the opportunities therein offered for the location of immigrants, and to familiarize himself with all the raw material in his County to be found for manufacturing such class and quality of goods as are imported into this State, to ascertain the location, cost of purchase and development as near as practicable, of the various water powers; to gather, obtain and compile in a manner hereinafter provided, all said information.

## FOURTH AMENDMENT.

In line eight of Section 6, strike out the word "he" and insert in lieu thereof the words "the Secretary."

## FIFTH AMENDMENT.

In line four of Section 7, after the word "County," insert the following *proviso*: "*Provided*, that each member of the Board shall be the agent of the Board from the County from which he is appointed and shall be its representative in showing emigrants the advantages to be derived from settling in his County, and all information given to immigrants shall be gratuitous."

## SIXTH AMENDMENT.

In line 2 of Section 8 strike out the word "five" and insert in lieu thereof the word "three."

In line 3 of the same section strike out the word "five" and insert in lieu thereof the word "three."

## SEVENTH AMENDMENT.

Add to the bill as Section 10 the following, to wit:

SEC. 10. The regular meetings of the Board shall be held at the city of Portland on the first Tuesday after the first Monday of March and October of each year, and special meetings shall be called by the President of the Board upon a written request of a majority of said Board; *provided*, that ten days' notice shall be given to each member of all meetings of the Board; and *provided further*, the Board may appoint from its members an Executive Committee of

five who shall represent the Board in the performance of such duties as the Board may determine.

#### EIGHTH AMENDMENT.

Also add as Section 11 the following, to-wit:

"SEC. 11. That an Act entitled 'An Act to provide for the appointment of a Board of Immigration Commissioners and the appropriation of money for immigration purposes,' approved February 24, 1885, be and the same is hereby repealed."

#### NINTH AMENDMENT.

Also add as Section 12 the following, to-wit:

SEC. 12. Inasmuch as the public good requires it, this Act shall take effect and be in force from and after the 28th day of February, 1887, and that the bill do pass as amended.

(Signed.)

JOHN H. SHUPE,  
C. F. HICKS,  
W. F. BENJAMIN,  
S. U. MITCHELL,  
J. D. LEE,

Committee.

On motion of Mr. Shupe, the reports were adopted, ordered printed and made a special order for 2 o'clock P. M. next Monday.

On motion of Mr. Hare it was ordered that the Senate resolve itself into a Committee of the Whole; whereupon the Senate resolved itself into a Committee of the Whole to consider H. B. No. 36 and and S. B. No. 166.

The Committee of the Whole having been dissolved, Mr. Hare, Chairman of the Committee of the Whole, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 11, 1887. }

*Mr. President*—Your Committee of the Whole Senate, to whom was referred House Bill No. 36 and Senate Bill No. 166, would respectfully report that they have had the same under consideration and that they have not arrived at any conclusion, report progress, and ask leave to sit again at 12:30 o'clock to-morrow.

W. D. HARE,  
Chairman.

On motion of Mr. Weatherford, the report of the Committee of the Whole was adopted.

On motion of Mr. Veatch, it was ordered that when the Senate adjourn it adjourn to meet this evening at 7:30 o'clock.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT, }  
SALEM, February 11, 1887.

*To the Honorable the President of the Senate:*

I am directed by the Governor to inform you that he has signed the following bills:

HOUSE BILL NO. 218.

"An Act to amend Section 5 of an Act, entitled An Act redistricting the State into Judicial Districts, and to provide for the time and place of holding the Supreme, Circuit and County Courts, and to repeal all Acts in conflict therewith; approved October 24, 1882, approved February 2, 1885."

HOUSE BILL NO. 14.

"An Act prescribing the times and places of holding the terms of the Circuit Court in the Seventh Judicial District."

HOUSE BILL NO. 3.

"An Act to create the County of Wallowa, and to fix the salaries of County Judge and Treasurer thereof."

SENATE BILL NO. 3.

"An Act to incorporate the town of Cottage Grove in Lane County, State of Oregon."

And the same have been this day filed in the office of the Secretary of State.

WM. A. MUNLY,  
Private Secretary.

On motion of Mr. Simon, the special order set for 3:30 o'clock was postponed until 7:30 o'clock this evening.



Mr. Chamberlin moved that the vote whereby H. B. No. 40 was defeated be reconsidered.

Pending action upon the above motion the Senate, upon motion of Mr. Hare, adjourned.

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### EVENING SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Bird, Cauthorn, Hare and Siglin.

On motion of Mr. Watts the special order was deferred for six minutes.

Mr. Simon, having obtained unanimous consent, on behalf of the Special Committee, to whom was referred H. B. No. 18, submitted the following :

### REPORT.

SENATE CHAMBER,  
SALEM, February 11, 1887. }

*Mr. President*—Your Special Committee, consisting of the Senators from Yamhill County, to whom was referred H. B. No. 18, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the following amendments:

### FIRST AMENDMENT.

In the printed bill, Section 1, line one, strike out all of line one after the first word "that" and all of line two, to and including the word "Act" and insert the words "on the first Tuesday after the first Monday of November, A. D. 1887."

### SECOND AMENDMENT.

In the third line of the printed bill strike out all of said line after the word "*election*," to and including the figures 1888.

And as so amended recommend that it do pass.

J. W. WATTS,  
R. P. BIRD.



On motion of Mr. Watts, the amendments to H. B. No. 18, as reported by the Committee, were adopted and agreed to.

Mr. Watts moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Veatch, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Cartwright, Cauthorn, Rinehart, Stanley, Steel and Williams—6.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Stanley, Veatch, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Cartwright, Cauthorn, Miller, Simon, Steel and Williams—6.

So the bill as amended was declared passed.

On motion of Mr. Shupe, the special order was further deferred for ten minutes.

Mr. Shupe moved to reconsider the vote whereby it was ordered to print the report of the Committee on S. B. No. 130, which motion prevailed and the same was duly reconsidered.

The report with amendments to said bill were read, and on motion of Mr. Weatherford, the bill with the amendments were re-referred to the Joint Committee on Immigration, with instructions to amend still further and leave to report at any time.

The special order being the consideration of S. B. No. 165, coming on for consideration, S. B. No. 165 was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Coleman, Cartwright, Chandler, Chamberlin, Dimick, Emmett, Gray, Hare, Lee, Looney, Rinehart, Shupe, Simon, Williams, Wager, Mr. President—18.

Nays—Messrs. Bird, Cauthorn, Dawson, Hamilton, Irvine, Miller, Siglin, Stanley, Steel, Veatch, Weatherford, Watts—12.

Absent—None.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

This special order, being the consideration of S. B. No. 131, now coming on, the bill was read the third time and the question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Coleman, Cartwright, Gray, Hare, Hamilton, Lee, Miller, Siglin, Shupe, Simon, Stanley, Steel, Mr. President—13.

Nays—Messrs. Bird, Chandler, Chamberlin, Dawson, Dimick, Emmett, Irvine, Looney, Rinehart, Veatch, Williams, Wager, Watts—13.

Absent—Messrs. Allen, Barin, Cauthorn, Weatherford—4.

So the bill was declared not passed.

On motion of Mr. Hare, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

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SATURDAY, FEBRUARY 12, 1887.

MORNING SESSION.

SENATE CHAMBER, }  
SALEM, February 12, 1887. }

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all reported present except Mr. Chandler. Prayer was offered by Rev. J. W. Webb of Salem.

On motion of Mr. Watts, the reading of the Journal of yesterday's proceedings was dispensed with.

Mr. President introduced and presented the following Resolution:

**RESOLUTION—COLUMBIA RIVER IMPROVEMENT.**

WHEREAS, We, in common with all the people of Washington Territory, recognize that the opening of the Columbia River to public navigation is to the people of the Northwest of paramount importance, and that each year the completion thereof is deferred is a loss to the people of Oregon and Washington almost, if not quite, equal to the cost of such improvement;

Therefore, we, as the representatives of the people of the city of Walla Walla, promise to do all in our power to have the people of Oregon and Washington meet on common ground, and that any ad-

vance made by the Legislature of the State of Oregon looking to a joint effort of the people of the two jurisdictions for carrying forward this great work will have at all times the earnest co-operation and aid of the city of Walla Walla and the people thereof; and that all right and proper efforts will be made to induce the Governor and Legislature of this Territory to give the project their aid. In our opinion the proposition to have the work carried on by Oregon and Washington is perfectly justifiable and meets our approval.

Done by the Council of the City of Walla Walla, February 4, A. D. 1887.

J. M. BOYD,  
Mayor.



Attest:

HENRY KELLING.  
Clerk.

On motion of Mr. Simon, the foregoing resolution was ordered spread upon the Journal.

Mr. Steel, Chairman of the Joint Special Committee on Insurance, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 12, 1887. }

*Mr. President*—Your Joint Committee on Insurance, to whom was referred Senate Bills Nos. 96, 105, 123 and 143, beg leave to report that they have had the same under consideration, and would respectfully report them back to the Senate with the recommendation that Senate bill No. 176 be substituted in lieu thereof, and that it do pass.

G. A. STEEL,  
Chairman Senate Committee.  
W. MUNGER,  
Chairman House Committee.

On motion of Mr. Simon, the report was adopted and the substitute made S. B. No. 176 and introduced in lieu of S. Bs. Nos. 96, 105, 123 and 143, S. B. No. 176 being a bill for an Act to license and regulate insurance business in the State.

Mr. Simon moved that the rules be suspended and S. B. No. 176 be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hamilton, Irvine, Lee,

Looney, Rinehart, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Emmett, Hare, Miller, Siglin and Steel—5.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Simon moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Veatch, Williams, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Hare, Miller, Stanley, Steel and Weatherford—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Simon was referred to the Joint Special Committee on Insurance, with instructions to have the same printed and with leave to report at any time.

Mr. Gray introduced S. C. R. No. 11 as follows:

#### SENATE CONCURRENT RESOLUTION NO. 11,

By J. H. D. Gray.

WHEREAS, Senator A. P. Gorman of Maryland has shown by his acts at various times that he is a friend of our State. And,

WHEREAS, His recent efforts before the Committee on River and Harbor have undoubtedly been a great help to our Senators in Congress in securing a much needed increase in the appropriation for the improvement of the mouth of the Columbia River; therefore,

*Be it Resolved by the Senate, the House concurring:*

That the President of the Senate and Speaker of the House are hereby authorized to telegraph Senator A. P. Gorman the thanks of the Legislature of this State for his many efforts in our behalf.

On motion of Mr. Gray, S. C. R. No. 11 was adopted.

Under special order, being the consideration of S. B. No. 81, the said S. B. No. 81 was read the third time, and the question being, "Shall the bill pass?"

Pending the question, Mr. Stanley moved that the bill be referred for further amendments.

Upon this question the ayes and nays were called for by Senators Hare and Cauthorn.

The roll was called and the vote was:

Ayes—Mr. Stanley—1.

Those voting nay were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Simon, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Absent—Messrs. Cartwright, Rinehart, Shupe and Steel—4.

So the Senate refused to re-refer and the motion was declared lost.

The vote now recurring on the question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Veatch, Williams, Weatherford, Wager, Watts—25.

Nays—Messrs. Stanley and Mr. President—2.

Absent—Messrs. Cartwright, Rinehart and Steel—3.

So the bill was declared passed, and on motion of Mr. Hare, the title was, by unanimous vote, amended as follows:

#### AMENDED TITLE TO S. B. NO. 81.

A bill for an Act to declare void certain certificates of sale and to forfeit certain lands; to authorize the cancellation of such certificates; to direct the repayment of moneys paid thereon; to preserve the rights of settlers on swamp lands; to authorize the institution of suits to cancel conveyances obtained by fraud and to provide for the issuance of deeds to swamp lands without reclamation.

The title of the bill as amended now was ordered to stand as the title of the Act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 12, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed Senate Bill No. 15 over the veto of the Governor.

And the same is herewith returned.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has indefinitely postponed the further consideration of S. B. No. 40.

And the same is herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 12, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B's Nos. 248, 254, 87 and H. J. R. No. 11.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

Mr. Williams, Chairman of the Committee on Enrollment, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 12, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bills Nos. 84, 152, 16, 151, 17 and S. J. R. 15, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 8, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 65, being a bill for an Act to license dogs, declaring them public property, and pay the license fee to the road district where the owner resides.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Hare moved that the rules be suspended and the H. B. No. 65 accompanying the foregoing message be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Williams, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Cartwright, Cauthorn, Siglin, Stanley, Steel, Veatch, Weatherford—7.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Hare moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Simon, Williams, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cartwright, Chamberlin, Rinehart, Shupe, Stanley, Steel, Veatch, Weatherford—9.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Weatherford was referred to the Committee on Agriculture.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B's Nos. 233, 12 and H. J. R. No. 1, of 1885.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 64, being a bill for an Act to amend

Section 3, Title I., Chapter L., Miscellaneous Laws, relating to roads.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 64, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Lee moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Williams, Weatherford, Wager, Watts, Mr. President—21.

Nays—Mr. Chandler—1.

Absent—Messrs. Barin, Cartwright, Dimick, Emmett, Rinehart, Stanley, Steel and Veatch—8.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Lee was referred to the Committee on Roads and Highways, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 47, being a bill for an Act to provide for the improvement of the Wallowa Canyon wagon road and to appropriate money therefor.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 47, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

On motion of Mr. Miller, the vote by which the special order for S. B. No. 166 was set for 11:30 o'clock was reconsidered, and upon the main question being stated, making it the special order for 11:30 o'clock, was lost.

The President announced that he was about to sign H. B. No. 12, H. B. No. 233, H. B. No. 248, H. B. No. 254, H. B. No. 87, H. J. R. No. 1 of 1885 and H. J. R. No. 11, and shortly afterwards stated that he had signed them.



On motion of Mr. Miller, the Senate resolved itself into a Committee of the Whole to consider S. B. No. 166, with Mr. Hare as Chairman.

The Committee of the whole Senate having been dissolved, the Senate was called to order by the President, and Mr. Hare, Chairman of the Committee of the whole Senate, submitted the following

### REPORT.

SENATE CHAMBER,  
SALEM, February 12, 1887. }

*Mr. President*—Your Committee of the whole Senate, to whom was referred S. B. No. 166, beg leave to report that they have had the same under consideration and would respectfully report it back to the Senate with the recommendation that it do pass with the following amendments, to-wit:

### FIRST AMENDMENT.

Amend Section 2 by inserting after the word "Governor" at the end of the first line the words "from each of the two political parties as prescribed in the latter part of this Section."

### SECOND AMENDMENT.

Amend Section 6 by inserting after the word "paid" in line 2 of said Section in printed bill the words: "*Provided*, that the Governor shall receive no salary for such services as Commissioner."

### THIRD AMENDMENT.

Amend Section 9 by striking out all after the word "may" in the first line of said Section in printed bill down to and including the word "supervise" in the second line of said Section, and insert in lieu thereof the words "inquire into, ascertain and report to the Board;" also, by striking out all after the word "duties" in the fifth line of said Section down to and including the word "quarterly" in the sixth line of said Section.

### FOURTH AMENDMENT.

Strike out Section 12 in printed bill, and insert in lieu thereof the following:

SECTION 12. Any person, firm, corporation, or association, or any

mercantile, agricultural, or manufacturing society, or any body politic or municipal organization, complaining of anything done or omitted to be done by any common carrier subject to the provisions of this Act in contravention of the provisions thereof, may apply to said Commission by petition, which shall briefly state the facts; whereupon a statement of the charges thus made shall be forwarded by the Commission to such common carrier, who shall be called upon to satisfy the complaint or to answer the same in writing within a reasonable time, to be specified by the Commission. If such common carrier, within the time specified, shall make reparation for the injury alleged to have been done, said carrier shall be relieved of liability to the complainant only for the particular violation of law thus complained of. If such carrier shall not satisfy the complaint within the time specified, or there shall appear to be any reasonable ground for investigating said complaint, it shall be the duty of the Commission to investigate the matter complained of in such manner and by such means as it shall deem proper.

No complaint shall at any time be dismissed because of the absence of direct damage to the complainant.

#### FIFTH AMENDMENT.

Amend by adding Section 13, as follows:

SEC. 13. That whenever an investigation shall be made by said Commission, it shall be its duty to make a report in writing in respect thereto, which shall include the findings of fact upon which the conclusions of the Commission are based, together with its recommendation as to what reparation, if any, should be made by the common carrier to any party or parties who may be found to have been injured; and such findings so made shall thereafter, in all judicial proceedings, be deemed *prima facie* evidence as to each and every fact found.

All reports of investigations made by the Commission shall be entered of record, and a copy thereof shall be furnished to the party who may have complained, and to any common carrier that may have been complained of.

#### SIXTH AMENDMENT.

Amend by inserting Section 14, as follows:

Sec. 14. That if in any case in which an investigation shall be made by said Commission, it shall be made to appear to the satisfaction of the Commission, either by the testimony of witnesses or other evidence, that anything has been done or omitted to be done in violation of the provisions of this Act, or of any law cognizable

by said Commission, by any common carrier, or that any injury or damage has been sustained by the party or parties complaining, or by other parties aggrieved in consequence of any such violation, it shall be the duty of the Commission to forthwith cause a copy of its report in respect thereto to be delivered to such common carrier, together with a notice to said common carrier to cease and desist from such violation, or to make reparation for the injury so found to have been done, or both, within a reasonable time, to be specified by the Commission; and if, within the time specified, it shall be made to appear to the Commission that such common carrier has ceased from such violation of law, and has made reparation for the injury found to have been done, in compliance with the report and notice of the Commission, or to the satisfaction of the party complaining, a statement to that effect shall be entered on record by the Commission, and the said common carrier shall thereupon be relieved from further liability or penalty for such particular violation of law.

#### SEVENTH AMENDMENT.

Amend by adding Section 15, as follows:

SEC. 15. That whenever any common carrier, as defined in and subject to the provisions of this Act, shall violate or refuse or neglect to obey any lawful order or requirement of the Commission in this Act named, it shall be the duty of the Commission, and lawful for any company or person interested in such order or requirement to enter complaint in the Circuit Court of the State sitting in equity in the Judicial District in which the violation or disobedience of such order or requirement shall arise, alleging such injury; and the said Court shall have power to hear and determine the matter at any time after service of the complaint in the usual way, on such short notice to the common carrier complained of as the Court shall deem reasonable; and said Court shall proceed to hear and determine the matter speedily, in such manner as to do justice in the premises; and on such hearing the report of said Commission shall be *prima facie* evidence of the matters herein stated; and if it be made to appear to such Court on such hearing that the lawful order or requirement of said Commission, exercised in pursuance of the provisions of this Act, has been violated or disobeyed, it shall be lawful for any such Court to issue a writ of injunction or other proper process, mandatory or otherwise, to restrain such common carrier from further continuing such violation or disobedience, and enjoining obedience to the same; and in case of any disobedience of any such writ of injunction or other proper process, mandatory or otherwise, it shall be enforced by proper process issued out of said Court. Either party to such proceeding before said Court may

appeal to the Supreme Court of the State, under the same regulations now provided by law in respect of security for such appeal; and such Court may in every such matter order the payment of such costs and counsel fees as shall be deemed reasonable. Whenever any such complaint shall be filed or presented by the Commission it shall be the duty of the District Attorney to prosecute the same; and the costs and expenses of such prosecution shall be paid out of the appropriation for the expenses of the Courts of the State. For the purposes of this Act, excepting its penal provisions, the Circuit Courts of the State shall be deemed to be always in session.

#### EIGHTH AMENDMENT.

Amend by adding Section 16, as follows:

SEC. 16. That the Commission may conduct its proceedings in such manner as will best conduce to the proper dispatch of business and to the ends of justice, and no Commissioner shall participate in any hearing or proceeding in which he has any pecuniary interest. Said Commission may, from time to time, make or amend such general rules or orders as may be requisite for the order and regulation of proceedings before it, including forms of notices and the service thereof, which shall conform, as nearly as may be, to those in use in the Courts of the State. Any party may appear before said Commission and be heard, in person or by attorney. Every vote and official act of the Commission shall be entered of record, and its proceedings shall be public upon the request of either party interested. Said Commission shall have an official seal, which shall be judicially noticed. Either of the members of the Commission may administer oaths and affirmations.

#### NINTH AMENDMENT.

Amend by making Section 13 of original bill Section 17.

#### TENTH AMENDMENT.

Amend by making Section 14 of original bill Section 18.

#### ELEVENTH AMENDMENT.

Amend by making Section 15 of original bill Section 19.

#### TWELFTH AMENDMENT.

Amend by making Section 16 of original bill Section 20.

## THIRTEENTH AMENDMENT.

Strike out Section 17 of original bill.

## FOURTEENTH AMENDMENT.

Amend by making Section 18 of original bill Section 21.

## FIFTEENTH AMENDMENT.

Strike out Sections 19 and 20 of the original bill.

## SIXTEENTH AMENDMENT.

Amend by making Section 21 of original bill Section 22, and also by striking out all after the word "in" in seventh line of said section down to and including the figure "15" in same line, and by inserting after the word "Act" in the seventh line of said Section 21 the following: "Or who shall fail or neglect or refuse to do or perform any of the requirements of this Act."

Also by striking out the word "the" after word "offense" in the tenth line of said section and inserting in lieu thereof the article "a."

Also by striking out the figures \$5,000 in the tenth line of said section and inserting in lieu thereof the following: "Not less than \$100 nor more than \$500."

## SEVENTEENTH AMENDMENT.

Amend by making Section 22 of the original bill Section 23.

## EIGHTEENTH AMENDMENT.

Amend by making Section 23 of the original bill Section 24.

## NINETEENTH AMENDMENT.

Amend by making Section 24 of the original bill Section 25.

WILLIAM D. HARE,  
Chairman.

On motion of Mr. Hare, the report and amendments to S. B. No. 166 were adopted and agreed to, and the bill as amended was ordered engrossed for a third reading.

The further consideration of S. B. No. 166 was now deferred for twenty minutes.

Mr. Chandler, Chairman of the Special Committee to whom was referred H. B. No. 66, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, February 9, 1887. }

*Mr. President*—Your Special Committee, to whom was referred H. B. No. 66, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following amendments:

FIRST AMENDMENT.

Amend Section 10, line 4 of printed bill, after the word "County," by striking out the names of J. L. Cole and E. P. Perkins and inserting in lieu thereof the names of W. D. Wisdom and L. D. Ison.

SECOND AMENDMENT.

Amend Section 10, line 27 of printed bill, after the words "Clerk of," by striking out the word "either." Also, in the same section and line strike out the words "or Malheur" after the word "Baker."

THIRD AMENDMENT.

Amend Section 11, line 4 of printed bill, after the words "Clerk of," by striking out the word "Malheur" and inserting in lieu thereof the word "Baker."

FOURTH AMENDMENT.

Amend Section 13, line 2 of printed bill, by striking out the words "its approval by the Governor," and inserting in lieu thereof the words "the first day of April, 1887."

GEORGE CHANDLER,  
Chairman.

On motion of Mr. Chandler, the amendments were adopted.

Mr. Chandler moved that the rules be suspended and the bill be read the third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Cham-

berlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Simon, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—2.

Absent—Messrs. Coleman, Gray, Shupe, Stanley and Steel—5.

So the rules were suspended.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

### REPORT.

SENATE CHAMBER,  
SALEM, February 12, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 166, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

The special order being the vote upon the final passage of S. B. No. 166, Messrs. Miller and Coleman moved a call of the Senate, which was made, and all the Senators reported present.

On motion of Mr. Coleman, further call of the Senate was dispensed with.

S. B. No. 166 was then read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts—27.

Nays—Messrs. Gray, Siglin, Mr. President—3.

Absent—None.

So the bill passed, and the title of the bill stands as the title of the Act.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 12, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. J. R. No. 15 and Senate Bills Nos. 17, 151, 16, 152 and 84.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign S. J. R. No. 15 and S. B's. Nos. 16, 17, 84, 151 and 152.

Mr. Miller moved that when the Senate adjourn it do adjourn till Monday next, at 11 o'clock.

Upon this motion the ayes and nays were called for by Messrs. Hare and Coleman.

The roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Cauthorn, Irvine, Miller, Rinehart, Siglin, Simon, Stanley, Steel, Wager, Mr. President—12.

Nays—Messrs. Allen, Bird, Coleman, Cartwright Chamberlin, Dimick, Emmett, Gray, Hare, Lee, Looney, Shupe, Veatch, Williams, Weatherford and Watts—16.

Absent—Messrs. Dawson and Hamilton—2.

So the motion was declared lost.

Messrs. Miller and Chandler were excused from attendance until next Monday at 2 o'clock.

On motion of Mr. Hare, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

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### AFTERNOON SESSION.

The Senate met at the hour appointed for meeting, and was called to order by the President.

The roll was called and all the Senators were present except Mr. Cauthorn.

On motion of Mr. Simon, it was ordered that when the Senate adjourn it adjourn to meet next Monday at 2 o'clock P. M.

Mr. Gray moved to reconsider the vote whereby S. C. R. No. 11 was adopted this morning, which motion prevailed.

Mr. Gray, by unanimous consent, introduced a substitute for S. C. R. No. 11 as follows:

### SENATE CONCURRENT RESOLUTION NO. 11,

By J. H. D. Gray.

WHEREAS, Senator A. P. Gorman of Maryland has shown by his acts at various times that he is a friend of our State; and,

WHEREAS, His recent efforts before the Committee on Rivers and



Harbors has undoubtedly been a great help to our Senators and Representative in Congress in securing much needed increase in the appropriation for the improvements of the mouth of the Columbia River, Yaquina Bay, the locks at the Cascades, the lower Willamette and the Columbia Rivers; therefore, be it

*Resolved by the Senate, the House concurring:*

That the President of the Senate and Speaker of the House are hereby authorized to telegraph Senator A. P. Gorman the thanks of the Legislature of this State for his efforts in our behalf.

On motion of Mr. Gray, the substitute S. C. R. No. 11 was adopted.

Mr. Hare asked that a certain letter from the War Department now in his possession be transferred to the Committee on Claims, which was done.

On motion of Mr. Coleman, the vote by which S. B. No. 168 was lost was reconsidered.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Emmett, Gray, Hare, Lee, Looney, Miller, Rinehart, Siglin, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—Messrs. Dimick, Shupe and Stanley—3.

Absent—Messrs. Cauthorn, Hamilton and Irvine—3.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Lee moved that the vote by which H. B. No. 40 was lost be reconsidered, and that the House be requested to return the said bill to the Senate.

Mr. Simon moved that the motion to reconsider be indefinitely postponed.

Pending this question the Senate proceeded to the reading of House Messages.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 119, being a bill to incorporate Baker City, Baker County, Oregon.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 149, being a bill for an Act to define the boundary line between Yamhill and Tillamook Counties in the State of Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 149, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Watts moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Cartwright—1.

So the rules were suspended and the bill was read a second time by title.

Mr. Watts moved to still further suspend the rules and that the bill be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—Messrs Chandler and Rinehart—2.

Absent—Messrs. Emmett and Veatch—2.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel,

Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Emmett—2.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed House Bill No. 152, being a bill for an Act to create the Willamina and Netart's Bay Toll Road Company, to grant rights of way for same, etc.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 152, accompanying the foregoing message, coming on for the first reading, Mr. Chandler moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Hare—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Bird moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Miller, Rinehart and Shupe—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Bird was referred to the Committee on Roads and Highways, with leave to report at any time.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 132, being a bill for an Act to amend an Act entitled an Act to regulate salaries of County Judges, approved February 20, 1885.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 132, accompanying the foregoing message, coming on for the first reading, Mr. Shupe moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Cartwright, Hare and Siglin—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Shupe moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—Mr. Hare—1.

Absent—Messrs. Barin, Rinehart and Siglin—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Shupe referred to the Committee on Counties, with leave to report at any time.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that

the House has passed H. B. No. 133, being a bill for an Act to authorize Board of School Land Commissioners to settle claims for repayment of money received for land to which the State had no title.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 133, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Shupe moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Rinehart—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Shupe was referred to the Committee on Judiciary, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 123, being a bill for an Act to fix the salary of the Superintendent of the Oregon State Penitentiary.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 123, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Cauthorn moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Ir-

vine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Weatherford—2.

So the rules were suspended and the bill was read a second time by title.

Mr. Cauthorn moved that the rules be still further suspended and the bill be read a third time and placed put upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Lee, Rinehart and Veatch—4.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Williams, Weatherford, Wager, Watts—23.

Nays—Messrs. Dawson, Irvine, Veatch and Mr. President—4.

Absent—Messrs. Barin, Lee and Stanley—3.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed House Bill No. 45, being a bill for an Act to amend an Act entitled an Act to regulate the salaries of County Treasurers in this State.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 45, accompanying the foregoing message, was read the first time.

Mr. Shupe moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Chandler, Hare, Miller and Stanley—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Shupe was referred to the Committee on Counties, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 12, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. C. R. No. 11.

And the same is herewith returned.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 240, being a bill for an Act to amend an Act to amend Section 117 of Chapter XII. of the Miscellaneous Provisions in relation to proceedings in Justices' Courts.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 240, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Simon moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton,

Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Steel. Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Miller—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Simon was referred to the Committee on Judiciary, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 156 with amendments.

And the same are herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

#### HOUSE AMENDMENTS TO SENATE BILL NO. 156.

First—Strike out the word “day” in the nineteenth line of the first page of the original bill and insert the word “Monday” in the place thereof.

Second—After the word “March” in the nineteenth line insert the words “the third Monday of July.”

Third—Strike out the word “day” in the twenty-second line and insert the word “Monday” in the place thereof.

Fourth—After the word “County” in the first line of the second page insert the words “and the July Term in Washington County.”

On motion of Mr. Hare the Senate concurred in the amendments.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 11, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 175, being a bill for an Act for the relief of N. G. McDonald.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.



H. B. No. 175, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Dawson moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Chandler and Miller—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Dawson was referred to the Committee on Ways and Means, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, February 11, 1887. )

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 135, being a bill for an Act to amend Section 8 of an Act to create the County of Crook, etc.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, February 12, 1887. )

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 145, being a bill for an Act to amend an Act to prevent deception in sales of dairy products, approved February 25, 1885.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Hare moved that the rules be suspended and H. B. No. 145, accompanying the foregoing message, be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Miller—2.

So the rules were suspended and the bill was read a first time by title now and passed to a second reading without a question.

Mr. Chamberlin moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Coleman, Stanley and Weatherford—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Cauthorn was referred to the Committee on Agriculture, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 12, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 137, being a bill for an Act to amend Section 52 of Title III., Chapter VII., Miscellaneous Laws of Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 137, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Steel moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Cartwright and Miller—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Simon was referred to the Judiciary Committee, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. 101, to amend Sections 547 and 548 of Chapter VI., Civil Code.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

S. B. No. 101 coming on for the first reading, Mr. Coleman moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Gray and Stanley—2.

So the rules were suspended and the bill was read the first time by title.

Mr. Coleman moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Cartwright, Siglin and Steel—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Coleman was referred to the Committee on Judiciary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 9, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 225, being a bill for an Act for the relief of Fred Yenkie for an extended grant of land for waterway or race and contract for the same.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 225, accompanying the foregoing message, coming on for the first reading, Mr. Chamberlin moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Shupe, Simon, Stanley, Veatch, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Cartwright, Gray, Miller, Siglin, Steel and Williams—7.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Chamberlin moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Simon, Stanley, Veatch, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Cartwright, Miller, Siglin, Shupe, Steel and Williams—7.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chamberlin was referred to the Committee on Claims, with leave to report at any time.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 10, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 13, being a bill for an Act to amend Section 14, Title I., Chapter XXVIII., Criminal Laws of Oregon, 1874, as amended October 17, 1871, relating to selling and giving liquors to minors.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 13, accompanying the foregoing message, coming on for a first reading, Mr. Coleman moved that the rules be suspended and the bill be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—Messrs. Miller and Steel—0.

Absent—Messrs. Barin, Cartwright and Cauthorn—5.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Hare moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Hare, Miller, Steel and Williams—5.

So the rules were suspended and the bill was read a second time by title.

Mr. Hare moved that the rules be further suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney,

Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Chandler, Dawson, Miller and Steel—5.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Stanley, Veatch, Williams, Weatherford, Watts, Mr. President—22.

Nays—Messrs. Emmett, Shupe, Simon, Wager—4.

Absent—Messrs. Cartwright, Gray, Siglin and Steel—4.

So the bill was declared passed.

At this time came on for consideration Mr. Simon's motion to indefinitely postpone Mr. Lee's motion to reconsider the vote by which H. B. No. 40 was lost and that the House be requested to return the said bill to the Senate, and the ayes and nays being called for by Messrs. Chamberlin and Lee on the question of indefinite postponement, the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Coleman, Cauthorn, Gray, Irvine, Miller, Siglin, Simon, Weatherford, Wager, Mr. President—11.

Nays—Messrs. Allen, Bird, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Lee, Looney, Rinehart, Shupe, Stanley, Veatch, Williams, Watts—18.

Absent—Mr. Steel—1.

So the Senate refused to indefinitely postpone the motion for reconsideration.

Now the question recurring on the reconsideration of the vote by which H. B. No. 40 was lost and to request the return of H. B. No. 40 from the House, the ayes and nays were called for by Senators Lee, Chamberlin and others.

The roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Chandler, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Lee, Looney, Rinehart, Shupe, Stanley, Veatch, Williams, Watts—17.

Nays—Messrs. Barin, Coleman, Cauthorn, Gray, Irvine, Miller, Siglin, Simon, Steel, Weatherford, Wager, Mr. President—12.

Absent—Mr. Cartwright—1.

So the motion to reconsider prevailed, and the return of H. B. No. 40 from the House was ordered.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 12, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B. No. 109.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 12, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 223, being a bill for an Act exempting firemen from certain duties and taxes, approved February 20, 1885.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 223, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Gray moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Hare, Siglin, Stanley and Wager—5.

So the rules were suspended and the bill was read a second time by title.

On motion of Mr. Hare, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

MONDAY, FEBRUARY 14, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, February 14, 1887. }

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators reported present except Messrs. Hamilton, Steel and Emmett, who were reported sick.

On motion of Mr. Watts, the reading of the Journal of Saturday's proceedings was dispensed with.

Mr. Weatherford obtained leave of absence to attend to some urgent business.

The consideration of H. B. No. 40 coming on, the question of 'Shall the bill pass?' Pending the question the following message from the House was received and read.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has complied with the request of the Senate for the return of H. B. No. 40.

And the same is herewith returned for the consideration of the Senate.

A. O. JENNINGS,  
Chief Clerk.

The question recurring again on the question, "Shall the bill pass?" Mr. Lee moved a call of the Senate, and the call being had all the Senators were found to be present except Messrs. Hamilton, Miller and Steel.

On motion of Mr. Barin, the further call of the Senate was dispensed with.

The main question being now put, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Chamberlin, Dimick, Emmett, Hare, Irvine, Lee, Looney, Rinehart, Shupe, Stanley, Williams, Watts  
—14.

Nays—Messrs. Coleman, Cartwright, Chandler, Cauthorn, Daw



son, Gray, Irvine, Siglin, Simon, Veatch, Weatherford, Wager, Mr. President—13.

Absent—Messrs. Hamilton, Miller, Steel—3.

So the bill failed to passed.

The report of the Special Joint Committee on Immigration, filed February 11, 1887, was now read, and on motion of Mr. Shupe the report was adopted and 250 copies ordered printed.

The courtesies of the Senate were extended to ex-Senator Pennington and Judge McArthur, who were provided with seats within the bar.

Mr. Shupe, Chairman of the Special Committee on Immigration, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 4, 1887. }

*Mr. President*—Your Special Committee to examine the workings of the State Board of Immigration Commissioners, to whom was referred Senate Bill No. 74, beg leave to report that they have had the same under consideration, and would respectfully report the same back to the Senate with the recommendation that it do not pass.

JOHN H. SHUPE,  
Chairman.

On motion of Mr. Hare, S. B. No. 74 was ordered considered engrossed for a third reading to-morrow.

Mr. Coleman, Chairman of the Special Committee to whom was referred H. B. No. 186 with leave to report at any time, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 9, 1887. }

*Mr. President*—Your Special Committee of Senators from Linn and Lane Counties, to whom was referred H. B. No. 186, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following

#### AMENDMENTS.

Strike out the words "Beginning on the east bank of the Willamette River where the same is intersected by the south line of Section

3, Township 16 south, Range 4 west," in line 3 of Section 25 and insert the following: Beginning at a point in the middle of the main channel of the Willamette River due west from where the south line of Section 3, Township 16 S., R. 4 W., intersect said river.

E. P. COLEMAN,  
Chairman.

On motion of Mr. Coleman, the amendments were adopted and agreed to.

Mr. Coleman moved that the rules be suspended and S. B. No. 136 be read a third time and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Irvine, Looney, Rinehart, Siglin, Simon, Veatch, Williams, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Hare, Hamilton, Lee, Miller, Shupe, Stanley, Steel and Weatherford—9.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Irvine, Looney, Rinehart, Siglin, Simon, Stanley, Veatch, Williams, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Hare, Hamilton, Lee, Miller, Shupe, Steel and Weatherford—9.

So the bill was declared passed.

Mr. Simon moved that the rules be suspended and the Senate proceed to the third reading of Senate bills.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Irvine, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Wager, Watts, Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Coleman, Cartwright, Chamberlin, Hare, Hamilton, Lee, Miller, Steel and Weatherford—10.

So the rules were suspended and the Senate proceeded to the third reading of Senate bills.

S. B. No. 36 was read the third time, and the question being, "Shall the bill pass?" Mr. Hare moved a call of the Senate, and a

call being made all the Senators were present except Messrs. Barin, Hamilton, Miller, Siglin, Steel and Weatherford.

The Sergeant-at-Arms was ordered to bring in absent members.

On motion of Mr. Hare further call of the Senate was dispensed with.

Now the vote recurring upon the question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cartwright, Chandler, Rinehart, Wager—5.

Nays—Messrs. Allen, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Watts, Mr. President—21.

Absent—Messrs. Hamilton, Miller, Steel, Weatherford—4.

So the bill failed to pass.

S. B. No. 12 was read the third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Chandler, Chamberlin, Emmett, Gray, Lee, Rinehart, Siglin, Simon, Stanley, Williams, Watts—14.

Nays—Messrs. Coleman, Cartwright, Cauthorn, Dawson, Dimick, Hare, Irvine, Looney, Miller, Shupe, Veatch, Weatherford, Wager, Mr. President—14.

Absent—Messrs. Hamilton, Miller and Steel—3.

So the bill was declared not passed.

Mr. Hare gave notice that he would at some future time move to reconsider the vote whereby S. B. No. 12 failed to pass.

S. B. No. 49 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cauthorn, Dawson, Emmett, Gray, Hare, Irvine, Looney, Rinehart, Siglin, Stanley, Wager—14.

Nays—Messrs. Barin, Chandler, Chamberlin, Dimick, Shupe, Simon, Williams, Weatherford, Watts—9.

Absent—Messrs. Cartwright, Hamilton, Lee, Miller, Steel, Veatch and Mr. President—7.

So the bill failed to pass.

S. B. No. 51 was read the third time, and the question being, "Shall the bill pass?" Mr. Allen moved a call of the Senate and all were present except Messrs. Cartwright, Hare, Hamilton, Lee, Miller and Steel.

The Sargeant-at-Arms was ordered to bring in absentees.

On motion of Mr. Allen, the further call of the Senate was dispensed with.

The vote recurring on the question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Chamberlin, Dawson, Looney, Stanley, Watts—6.

Nays—Messrs. Allen, Barin, Coleman, Chandler, Cauthorn, Dimick, Emmett, Gray, Hare, Irvine, Lee, Rinehart, Siglin, Shupe, Simon, Veatch, Williams, Weatherford, Wager, Mr. President—20.

Absent—Messrs. Cartwright, Hamilton, Miller, and Steel—4.

So the bill failed to pass.

S. B. No. 59 was read the third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Williams, Weatherford, Wager, Watts—24.

Nays—Mr. Veatch—1.

Absent—Messrs. Hamilton, Miller, Rinehart, Steel and Mr. President—5.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

On motion of Mr. Hare, it was ordered that when the Senate adjourn it adjourn to meet at 7:30 o'clock this evening.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B's Nos. 18, 123 and 149.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign H. B's Nos. 18, 109, 123 and 149, and shortly afterwards stated that he had signed the same.

Mr. Williams, Chairman of the Committee on Enrollment, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 14, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bill No. 135, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

H. B. No. 66, coming on under suspension of the rules of the Session of February 12, 1887, for a third reading, was read the third time, and the question being, "Shall the bill pass?"

Mr. Chandler, having received unanimous consent, moved that the word "fifteen" be stricken out of Section 12 and "forty-five" inserted in lieu thereof, which motion prevailed and the change was made accordingly.

Now the question being again stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Hamilton, Miller and Steel—3.

So the bill was declared passed.

On motion of Mr. Shupe, the Senate adjourned.

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### EVENING SESSION.

The Senate met pursuant to adjournment, and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Cauthorn, Emmett, Gray, Miller, Siglin and Beach.

Miller and Emmett reported sick.

S. B. No. 69 was read the third time, and the question being, "Shall the bill pass?"

Pending this question, on motion of Mr. Hare, the bill was referred to the Committee on Engrossment for correction.

S. B. No. 73 was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Cartwright, Chandler, Dimick, Gray, Hare, Siglin, Shupe, Simon, Steel, Williams, Wager, Watts, Mr. President—14.

Nays—Messrs. Allen, Coleman, Chamberlin, Dawson, Gray, Irvine, Lee, Looney, Rinehart, Stanley, Veatch, Weatherford—12.

Absent—Messrs. Cauthorn, Emmett, Hamilton and Miller—4.

So the bill was declared lost, and failed to pass.

Mr. Williams, Chairman of the Committee on Enrolled Bills, submitted the following

## REPORT.

SENATE CHAMBER, }  
SALEM, February 14, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bills Nos. 156, 102, 153 and 90, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

S. B. No. 77 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Emmett, Hamilton and Miller—3.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

S. B. No. 98 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—Messrs Bird and Lee—2.

Absent—Messrs. Allen, Emmett, Hamilton and Miller—4.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

S. B. No. 101 was read a third time, and the question being, "Shall the bill pass?"

Pending this question, on motion of Mr. Simon, the bill was laid on the table.

S. B. No. 108 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Emmett, Hamilton, Miller and Simon—4.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

S. B. No. 111 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Emmett, Hamilton and Miller—3.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

S. B. No. 113 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Emmett, Hamilton and Miller—3.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

By unanimous consent, Mr. Steel, Chairman of the Special Committee consisting of the Senators from Multnomah County, to whom was referred H. B. No. 204, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 14, 1887. }

*Mr. President*—Your Committee consisting of the Senators from Multnomah County, to whom was referred House Bill No. 204, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

G. A. STEEL,  
Chairman.

Mr. Simon moved that the rules be suspended and H. B. No. 204 be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Rinehart, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Chandler, Emmett, Hamilton, Miller, Siglin and Shupe—6.

So the rules were suspended and the bill was read the third time and the question being, "Shall the bill pass?"

Pending this question, Mr. Simon moved a call of the Senate. The door keeper was instructed to close the door.

The roll being called all the Senators were present except Messrs. Barin, Cauthorn, Chamberlin, Hamilton, Lee, Miller, Rinehart and Stanley.

The Sergeant-at-Arms was instructed to bring in the absent Senators.

On motion of Mr. Simon, the further call of the Senate was dispensed with.

The vote recurring on the question of, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Emmett, Hamilton and Miller—3.

So the bill was declared passed.

S. B. No. 114 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Coleman, Cauthorn, Gray, Lee, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Mr. President—14.

Nays—Messrs. Allen, Barin, Bird, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Irvine, Looney, Siglin, Watts—12.

Absent—Messrs. Emmett, Hare, Hamilton and Miller—4.

So the bill was declared lost, and failed to pass.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following



## REPORT.

SENATE CHAMBER,  
SALEM, February 14, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 91 and 69, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

Mr. Steel, Chairman of the Special Committee on Insurance, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 14, 1887. }

*Mr. President*—Your Joint Committee on Insurance, to whom was referred Senate Bill No. 176, beg leave to report that they have had the same printed, and would respectfully report it back to the Senate.

G. A. STEEL,  
Chairman.

On motion of Mr. Steel, S. B. No. 176 was ordered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Wager introduced S. B. No. 177, being a bill for an Act to provide for an additional Circuit Judge and District Attorney for the Sixth Judicial District.

Mr. Wager moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Steel, Veatch,\* Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Cauthorn, Hare, Hamilton, Miller and Stanley—5.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Wager moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Emmett, Hamilton, Miller, Stanley and Williams—6.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager was referred to the Senators from the Sixth Judicial District.

Mr. Wager, Chairman of the Special Committee to whom was referred S. B. No. 169, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 14, 1887. }

*Mr. President*—Your Special Committee, to whom was referred S. B. No. 169, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following

#### AMENDMENT.

SECTION 6. That the following funds be retained and pledged for the purpose contemplated by this Act, and which said fund shall be known as the Internal Improvement fund:

First—All the five per centum of the net proceeds of the sales of the public lands to which this State is entitled.

Second—All sums of money that may be refunded to the State by the General Government as claims of the State against the General Government for expenses incurred by the State for equipment of troops or otherwise.

Third—All the net proceeds of the sale of the swamp and overflowed lands belonging to this State, not by law pledged for other purposes—and the State of Oregon hereby pledges its faith to so administer said funds for the prompt payment of its bonds and the interest thereon as hereinafter authorized by this Act.

J. P. WAGER,  
Chairman.

On motion of Mr. Hare, the amendments were adopted.

On motion of Mr. Hare, the blank in Section 2 was filled with 1,800, and the blank in Section 8 with 7 per cent.

On motion of Mr. Hare, this bill was referred to a Committee of the Whole Senate.

Mr. Rinehart moved that the vote by which S. B. No. 131 was lost be reconsidered.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Gray, Hare, Lee, Looney, Rinehart, Shupe, Simon, Stanley, Steel, Weatherford, Wager, Watts, Mr. President—18.

Nays—Messrs. Chamberlin, Dawson, Dimick, Veatch—4.

Absent—Messrs. Bird, Cauthorn, Emmett, Hamilton, Irvine, Miller, Siglin and Williams—8.

So the motion prevailed.

Mr. Hare moved a call of the Senate, and the roll being called all the Senators were present except Messrs. Bird, Cauthorn, Emmett, Hamilton, Lee, Irvine, Siglin and Williams.

Mr. Hare moved that further call of the Senate be dispensed with.

On motion of Mr. Simon, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

TUESDAY, FEBRUARY 15, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

The Senate met at the hour appointed for meeting and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Chandler, Emmett, Hamilton, Lee, Miller, Shupe and Wager.

Prayer was offered by Rev. M. L. Rugg of Salem.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred S. B. No. 176, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted H. C. R. No. 24, fixing time for final adjournment of the Fourteenth Biennial Session of the Legislature.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. C. R. No. 24, accompanying the foregoing message, was read and on motion of Mr. Hare was referred to the Committee on Ways and Means.

The vote by which S. B. No. 131 having failed to pass having been reconsidered February 14, 1887, now came on for consideration on the question, "Shall the bill pass?"

Mr. Coleman obtained unanimous consent to amend the bill by striking out of line ten, "six hundred and sixty dollars each" in printed bill, and insert the words "three thousand dollars."

To amend by striking out of line three, Section 1 of printed bill, the words "six hundred and sixty dollars each" and insert in lieu thereof "Three thousand dollars."

To amend by striking out of line 1, Section 2 of printed bill the words four thousand six hundred and twenty dollars, and insert in lieu thereof the words "three thousand dollars," and to amend by striking out of lines 4 and 5, Section 2, printed bill, the words four thousand six hundred and twenty dollars, and insert in lieu thereof "three thousand dollars."

The Clerk was instructed to make the foregoing amendments to said S. B. No. 131, which being done, the question being now again, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Gray, Hare, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Wager, Watts, Mr. President—21.

Nays—Messrs. Chamberlin, Dawson, Dimick, Emmett, Irvine, Veatch, Williams, Weatherford—8.

Absent—Mr. Hamilton—1.

So the bill passed, and the title of the bill stands as the title of the Act.

Mr. Williams, Chairman of the Committee on Enrolled Bills, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bill No. 163, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

Mr. Barin moved that the vote by which S. B. No. 114 failed to pass be reconsidered.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Coleman, Chandler, Cauthorn, Emmett, Gray, Irvine, Lee, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Mr. President—20.

Nays—Messrs. Allen, Bird, Cartwright, Chamberlin, Dawson, Dimick, Hare, Looney, Watts—9.

Absent—Mr. Hamilton—1.

On motion of Mr. Barin, the bill was referred for correction to a Special Committee, consisting of Messrs. Barin, Hare and Watts, with leave to report at any time.

Having obtained unanimous consent, Mr. Weatherford introduced Senate Bill No. 178, being a bill for an Act to amend Section 17 of an Act entitled an Act to incorporate the city of Halsey.

Mr. Weatherford moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Cartwright, Hamilton and Williams—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Weatherford moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Lee, Looney, Miller, Rinehart, Siglin,

Shupe, Simon, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Cartwright, Chamberlin, Hare, Hamilton, Irvine, Stanley and Williams—7.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Weatherford was considered engrossed and made a special order for 7:30 o'clock this evening.

Mr. Allen, Chairman of the Committee on Fisheries, submitted two reports, which were withdrawn, and, on motion of Mr. Hare, were re-opened to the Committee for corrections.

Having obtained unanimous consent, Mr. Gray introduced Senate Bill No. 179, being a bill for an Act to amend the city charter of Astoria.

Mr. Gray moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Hamilton and Miller—2.

Mr. Gray moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Allen, Barin, Cartwright, Chandler, Hare, Miller and Stanley—7.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Gray was considered engrossed and made a special order for 7:45 o'clock this evening.

Mr. Emmett, Chairman of the Special Committee appointed to visit the Blind School, submitted the following

#### REPORT.

*To the Honorable the President of the Senate and Speaker of the House :*

Your Committee, who were appointed in accordance with House

Concurrent Resolution No. 23 to visit and report on the condition of the School for the Blind, most respectfully submit the following report:

That we have visited said School and investigated its management and condition, and find that the building and all rooms are kept in a neat and orderly manner; but to insure the necessary sanitary conditions, there should be provided an adequate system of sewerage, a furnace for heating the building, and some changes should be made in the interior arrangement.

We find that the officers are entitled to credit for the general management and efficiency of the School, and that the pupils are making rapid progress in their studies and in music.

We believe that the State is only fulfilling a duty it owes to these unfortunates in providing an institution in which they may obtain a common school education, and we fully endorse the remarks and recommendations of the Superintendent of Public Instruction on pages 81 to 88 in his Report for the year 1886.

We recommend that the sum of two thousand dollars be appropriated for constructing a sewer, for necessary interior changes, repairs, furnishing and for the industrial department.

JOHN EMMETT,

Chairman of the Committee.

On motion of Mr. Emmett, the report was referred to the Committee on Ways and Means.

S. B. No. 115 was read a third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Wager, Watts, Mr. President—24.

Nays—Messrs. Coleman, Veatch—2.

Absent—Messrs. Allen, Chandler, Williams, Weatherford—4.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 69 was read the third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Watts, Mr. President—22.

Nays—Messrs. Coleman, Chandler, Irvine, Looney, Miller, Veatch and Wager—7.

Absent—Mr. Rinehart—1.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 74 was read the third time, and the question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Coleman, Chandler, Cauthorn, Dawson, Gray, Hare, Irvine, Lee, Looney, Stanley, Veatch, Weatherford, Watts—14.

Nays—Messrs. Barin, Bird, Chamberlin, Dimick, Hamilton, Miller, Rinehart, Shupe, Simon, Steel, Williams, Wager, Mr. President—13.

Absent—Messrs. Cartwright, Dimick and Siglin—3.

So the bill was declared lost.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 15, 1887. }

*To the Honorable the President of the Senate:*

I am directed by the Governor to inform you that he has signed the following bills:

#### HOUSE BILL NO. 87.

"An act to provide for the publication of the report of the County finances."

#### HOUSE BILL NO. 233.

An Act to amend an Act entitled, "An Act to change the name of the town of Alkali, and to incorporate the same."

#### HOUSE BILL NO. 254.

"An Act to provide County Commissioners for Columbia County, State of Oregon."

#### HOUSE BILL NO. 248.

"An Act for the relief of School District Number Forty-seven (47), Linn County, Oregon."



## HOUSE BILL NO. 12.

“An Act to provide for the times and places for holding Circuit Courts in the First Judicial District.”

## SENATE BILL NO. 151.

An Act to amend an Act entitled, “An Act to amend an Act to incorporate the town of Oakland, approved October 19, 1880.”

## SENATE BILL NO. 152.

“An Act to amend an Act entitled, ‘An Act to incorporate the town of Jacksonville, Oregon.’”

## SENATE BILL NO. 17.

“An Act to amend Section 6, Chapter XLIX., of the General Laws of Oregon, compiled by Matthew P. Deady and Lafayette Lane.”

## SENATE BILL NO. 18.

“An Act to amend an Act entitled ‘An Act to incorporate the town of Prineville, in Wasco (now Crook) County, Oregon,’ approved October 23, 1880, to repeal all Acts or parts of Acts in conflict therewith.”

## SENATE BILL NO. 84.

An Act to amend Sections 2, 34, 62, 63, 64, 65, 67, (66), 68, 69, 72, 73, 85, 86 and 94 of an Act entitled “An Act to incorporate the city of Albany, and repeal an Act entitled an Act to incorporate the city of Albany, approved October 24, 1864; and also, an Act entitled an Act to amend an Act entitled an Act to incorporate the city of Albany, approved October 26, 1870; and also, an Act entitled an Act to amend an Act entitled an Act to incorporate the city of Albany, approved October 24, 1864, approved October 18, 1878; and also, an Act entitled an Act to amend an Act entitled an Act to incorporate the city of Albany, approved October 24, 1864, approved October 25, 1880, approved February 11, 1885.”

And the same have been this day filed in the office of the Secretary of State.

WM. A. MUNLY,  
Private Secretary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 15, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B's Nos. 135, 102, 156, 90, 153 and 163.

And the same are herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign S. B's Nos. 135, 102, 156, 90, 153 and 163, and shortly afterwards stated that he had signed them.

Mr. Allen, Chairman of the Special Committee on Fishing, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee on Fisheries, to whom was referred Senate Bill No. 174, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following

## AMENDMENTS.

Insert after the word tributaries in line 5, Section 4, printed bill, the following: "And the month of November on all streams in the State of Oregon south of the Columbia."

JOHN C. ALLEN,  
Chairman.

On motion of Mr. Allen, the amendment submitted in the foregoing report was adopted and agreed to.

Mr. Gray moved to amend as follows:

Amend S. B. No. 174, Section 5, as follows, namely:

## FIRST AMENDMENT.

Strike out the word "two" in line 4 in Section 5 of printed bill and insert in lieu thereof the word "three."

## SECOND AMENDMENT.

Strike out the word "two" in line 5 in Section 5 of printed bill and insert in lieu thereof the word "three."

## THIRD AMENDMENT.

In line 6 of said Section 5 in printed bill after the word "three" insert the words "and one-half."

## FOURTH AMENDMENT.

In line 7 of said Section 5 in printed bill after the word "three" insert the words "and one-half."

## FIFTH AMENDMENT.

Strike out the word "four" in line 9 of said Section 5 in printed bill and insert in lieu thereof the words "three and one-half."

## SIXTH AMENDMENT.

Strike out the word "four" in line 11 of said Section 5 in printed bill, and insert in lieu thereof the words "Three and one-half," so that the Section, when amended, shall read as follows; namely:

SECTION 5. No person shall upon the waters of this State, or upon any waters upon which the Courts of this State have concurrent jurisdiction, fish with, use or operate, or assist in so doing, during the months of April, May, June or July any gill net with meshes which shall be less than four and one-quarter inches square, or with seine, whose meshes shall be less than three inches square; or with trap or weir, the slats of which shall be less than three inches apart; or with fish wheel, the meshes of which shall be less than three and one-half inches square, inside measurement; or with pound net, the meshes of which shall be less than three and one-half inches square, inside measurement; and no person shall so hang, place, keep or maintain any pound net, the meshes of which shall be less than three and one-half inches square, and no person shall keep or maintain any pound net, with meshes with more than one thickness of web thereto; and said net or web shall be so fixed, attached and maintained, as to leave always open an aperture, three and one-half inches square in the clear, for the passage of fish; and any person violating any of the provisions of this Section shall be punished by a fine of not less than one hundred dollars, nor more than two

hundred dollars, and the Court may order such pound net to be abated, at the expense of the owner, as a public nuisance.

J. H. D. GRAY.

Mr. Gray moved the adoption of the foregoing amendments.

Pending the question of the adoption of the amendments of Mr. Gray, the Senate, on motion of Mr. Barin, adjourned.

### AFTERNOON SESSION.

The Senate met at the hour appointed for its meeting and was called to order by the President.

The roll was called, and all the Senators were present except Messrs. Chamberlin, Hare, Hamilton and Siglin.

Mr. Watts, by unanimous consent, introduced Senate Resolution No. 22, as follows:

#### SENATE RESOLUTION NO. 22.

*Resolved*, That a Committee of three be appointed to ascertain and report the mileage of the members of the Senate.

J. W. WATTS.

On motion of Mr. Watts S. R. No. 22 was adopted.

The President appointed as a Committee under S. R. No. 22 Messrs. Chamberlin, Emmett and Wager.

The special order, being the consideration of S. B. No. 91, now coming on for action by the Senate, the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dimick, Gray, Hare, Hamilton, Lee, Looney, Miller, Siglin, Simon, Stanley, Steel, Williams, Mr. President—20.

Nays—Messrs. Cauthorn, Dawson, Emmett, Irvine, Shupe, Veatch, Wager, Watts—8.

Absent—Rinehart and Weatherford—2.

So the bill passed, and the title of the bill stands as the title of the Act.

Now the question recurring on Mr. Gray's amendments to S. B. No. 174.

Mr. Gray now withdraws the first amendment.

On motion of Mr. Weatherford, Mr. Gray's amendments were considered singly, one by one.

On motion of Mr. Gray the second amendment failed to be adopted.

On motion of Mr. Gray the third amendment failed to be adopted.

On motion of Mr. Gray the fourth amendment, after a vote was taken, failed to be adopted.

On motion of Mr. Gray the fifth amendment, after a vote was taken, failed to be adopted.

Now by unanimous consent Mr. Gray withdrew his amendments to S. B. No. 174.

On motion of Mr. Allen S. B. No. 174 was ordered engrossed for a third reading.

Mr. Wager, Chairman of the Special Committee, to whom was referred S. B. No. 177, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, 1887. }

*Mr. President*—Your Special Committee of Senators from Sixth Judicial District, to whom was referred Senate Bill 177, beg leave to report that they have had the same under consideration, and would respectfully report back as a substitute therefor S. B. 180, which is herewith introduced.

J. P. WAGER,  
Chairman.

On motion of Mr. Wager the report was adopted and the substitute was introduced as S. B. No. 180, being a bill for an Act to provide an additional Circuit Judge for the Sixth Judicial District.

Mr. Wager moved that the rules be suspended and S. B. No. 180 be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Hare, Irvine, Lee and Stanley—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Wager moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Hare and Stanley.—2.

So the rules were suspended and the bill was read a second time by title.

Mr. Wager moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Coleman, Gray, Hare, Simon and Stanley—5.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?"

Pending this question Mr. Simon moved that the bill be referred to the Senator from Umatilla County with instructions to change the bill so as to give the Legislative Assembly the power to elect the Judge provided for in said bill, with leave to report at any time.

On this question the ayes and nays were called for by Messrs. Weatherford and Wager.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Bird, Cartwright, Chamberlin, Dawson, Emmett, Gray, Hare, Looney, Miller, Shupe, Simon, Steel, Williams, Watts, Mr. President—15.

Nays—Messrs. Coleman, Chandler, Cauthorn, Hamilton, Irvine, Rinehart, Siglin, Stanley, Veatch, Weatherford, Wager—11.

Absent—Messrs. Allen, Barin, Dimick, Lee—4.

So the bill was ordered referred to the Senator from Umatilla County, with leave to report at any time.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 15, 1887. }

*To the Honorable the Senate and House of Representatives of the State of Oregon :*

I herewith enclose to you a letter from Hon. Henry Failing, a

member of the Constitutional Centennial Commission, dated at New York the 27th ultimo, enclosing a letter from Hampton L. Carson, Secretary of the last Commission, and also a printed copy of the proceedings of the Convention of Governors of the thirteen Colonial States, all of which have reference to the proposed celebration on the 17th of September next, at Philadelphia, of the Centennial Anniversary of the framing and promulgation of the Federal Constitution. It is highly probable that all of the other States will make preparation for having themselves represented at such celebration, and I therefore lay the before-mentioned documents before you for your consideration. A copy of this communication and the accompanying documents have been transmitted to your co-ordinate hand.

SYLVESTER PENNOYER,  
Governor.

NEW YORK, January 27, 1887.

*To His Excellency, Sylvester Pennoyer, Governor of the State of Oregon,  
Salem, Oregon:*

SIR—In November last Governor Moody did me the honor of appointing me a member of the "Constitutional Centennial Commission," and I attended a meeting of said Commission at Philadelphia on December 21 last, held in accordance with the recommendation of the "Governors of the Thirteen Colonial States." I now beg to enclose herewith a letter addressed to me by the Secretary of the Commission dated January 7, mailed to my address at Portland on the 12th and re-mailed to me here.

The printed copies referred to in Mr. Carson's letter are, I presume, in Portland, and I have requested that they be mailed to your address, feeling assured that they can better be distributed from your office than in any other way.

I have to request that you will consider this with the "printed copies" referred to, as a report provided for in the resolutions of the Commission, and also to request that you will take such steps as you may think expedient during the present Session of the Legislative Session, in enlisting public interest in the programme adopted.

I am very respectfully, your obedient servant,

HENRY FAILING.

PHILADELPHIA, January 7, 1887.

*Hon. Henry Failing:*

DEAR SIR—I have the honor to send you by express printed copies of the proceedings of the Convention of Governors of the Thirteen Colonial States, held at Philadelphia, September 17, 1886, with the proceedings of the Constitutional Centennial Commission, held De-



cember 2 and 3, 1886, at Philadelphia; also copies of the Memorial to Congress, presented by the Executive Committee of the sub-Commission.

Should you need further copies be kind enough to write to me.

Allow me to call your attention to the resolution upon page seventeen, which provides that the Commission should be requested to report at once to the Governors of the States and Territories which they represent the action of the Convention, and ask the prompt and earnest co-operation of the States and Territories in carrying out the programme adopted.

I rely upon you to distribute these copies in the most effective manner, in order that State pride and interest may be aroused, and the matter called particularly to the attention of your State Legislature through your Governor.

Believe me to be every respectfully and sincerely yours,

HAMPTON L. CARSON,

Secretary.

*To the House of Representatives of the United States of America:*

Your memorialists have the honor to represent the Constitutional Centennial Commission, which was organized in Philadelphia on the 2d of December, 1886, by the Commissioners appointed by the Governors of the States and Territories for the purpose of providing for the proper celebration by the nation of the Centennial anniversary of the Framing and Promulgation of the Federal Constitution.

No national memorial celebration can be of deeper significance than that which relates to the completion of the structure of our Government by its architects and builders, and its solemn dedication to the service of the people and mankind. That hour marked the most momentous epoch in our history. The labors of that day preserved for all time the precious fruits of freedom and self-government. Unique in origin; without a prototype in design; of enduring strength, and of phenomenal success, in the history of political philosophy the Constitution stands alone. Tested by danger and adversity, as well as by peace and prosperity, endeared to us by tradition and hallowed by experience, it has become the object of our reverential and affectionate regard. To it no American mind can be too attentive, and no American heart too devoted, and it is believed that the people will gather, as around a shrine, to commemorate by appropriate exercises the great work which was accomplished in Philadelphia by the statesmen of the Revolution, and to return in a devout and heartfelt manner their thanks to Divine Providence for the blessings which they have enjoyed during a century of federal constitutional government.

Animated by these feelings, and conscious of the sublime mean-



ing of the approaching event, the Commissioners have framed and outlined a programme of exercises which in their judgment would be appropriate. They have provided for the delivery of an Oration and a Poem in commemoration of the Signing of the Constitution. They have determined that there shall be a military display, in which the United States shall be invited to be represented by each branch of its military and naval service; that the several States and Territories and the District of Columbia shall be invited to be represented by their militia and volunteer service; that the President of the United States be requested to designate officers to command the same; that there shall also be an industrial processional display. That invitations to participate in the celebration shall be extended to the President of the United States and his Cabinet, to the Federal Judiciary, to Congress and the representatives of all departments of the Federal Government, to the Governor of each State and Territory, to the Judiciaries and Legislatures of the same, and the representatives of the several departments thereof; to the Commissioners of the District of Columbia, and to the various civic organizations and associations of the Union; that the resident representatives of the Foreign Governments having friendly relations with the United States be invited to participate. The Commission also resolved that there should be created in the city of Philadelphia a suitable memorial, commemorative of the signing and adoption of the Constitution and of the progress of the nation since that period.

Thus the Commissioners have endeavored to gather the people together in the city of that august Convention which framed the Constitution; and have invited them to visit the hallowed grounds of its birthplace, and by reviewing the scenes, recalling the deeds, and reviving the memories of the great statesmen who framed it, to renew their vows of fealty to the Constitution, and knit in closer bonds of union the members of our great Republic.

Your memorialists respectfully urge upon the attention of your honorable bodies the fitness of your hearty co-operation, and ask you by timely and appropriate action to authorize the Secretary of War and the Secretary of the Navy to arrange for the proper representation and participation by the military and naval services of the United States; to designate the troops and marines and their officers which are to take part, and to provide for the proper supplies and encampment of the men.

And your memorialists further petition that Congress shall by appropriate resolution recognize the importance and the dignity of the coming celebration and pledge their hearty co-operation; that the Nation shall be represented by competent Commissioners, who shall be clothed with authority to unite with the Commissioners of the different States and Territories in the prosecution of the work of

carrying out the details of the programme, and particularly the erection of a suitable memorial, to which each State and Territory shall contribute, but to which the Nation shall furnish the cap-stone and the crown.

And your memorialists further petition that the President be authorized to designate a competent Commission, to be charged with the duty of collecting and publishing all documents, whether drawn from the public archives or from private sources, which relate to the history and formation of the Constitution, including the debates in the Federal Convention and the Conventions of the several States which successively adopted and ratified the Constitution, so that a monument of historical literature may be built up, and a fund of information furnished for the instruction of the philosopher and the student when contemplating the political achievements of mankind.

And your memorialists further petition that Congress heartily co-operate in our work and insure the success of a celebration, national in its character and world-wide in its significance.

AMOS R. LITTLE, Chairman,  
CLINTON P. PAINE, Vice-Chairman,  
N. G. ORDWAY,  
C. J. HARRAH,  
HAMPTON L. CARSON, Secretary,

Executive Committee of the Sub-Constitutional Centennial Commission.

THE PROCEEDINGS  
of the  
CONVENTION OF GOVERNORS  
of  
The Thirteen Colonial States,  
Held at Philadelphia, September 17, 1886.  
With  
THE PROCEEDINGS  
of the  
CONSTITUTIONAL CENTENNIAL  
COMMISSION,  
Held December 2d and 3d, 1886,  
AT PHILADELPHIA.

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Published by order of the Constitutional Centennial Commission.

MEMBERS OF THE CONSTITUTIONAL CENTENNIAL  
COMMITTEE.

JOHN A. KASSON, President	Iowa
HAMPTON L. CARSON, Secretary	Pennsylvania
JOHN H. RODNEY	Delaware
AMOS R. LITTLE	Pennsylvania
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CLINTON P. PAINE	Maryland
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WILLIAM WIRT HENRY	Virginia
EDWARD F. JONES	New York
LEWIN W. BARRINGER	North Carolina
ROWLAND HAZARD	Rhode Island
JAMES D. RICHARDSON	Tennessee
ALFRED T. GOSHORN	Ohio
CHARLES H. REEVE	Indiana
MARCELLUS GREEN	Mississippi
JOHN M. PALMER	Illinois
THOMAS T. GANTT	Missouri
JAMES V. CAMPBELL	Michigan
J. J. FINLEY	Florida
HENRY FAILING	Oregon
D. B. LUCAS	West Virginia
WILLIAM H. HOLLIDAY	Wyoming
N. G. ORDWAY	Dakota
EDWARD W. KNIGHT	Montana
JOHN HAILEY	Idaho

THE PROCEEDINGS AT THE HALL OF THE CARPENTERS'  
COMPANY OF THE CONVENTION OF GOVER-  
NORS AND REPRESENTATIVES OF THE  
THIRTEEN COLONIAL STATES.

A meeting of the Governors and Representatives of the Thirteen Colonial States, and of Citizens was held at Philadelphia, September 17, 1886, in the Hall of the Carpenters' Company, in pursuance of the concurrent Resolutions adopted by the Legislature of the State of New Jersey, the 2d of June, 1886, inviting the co-operation of the Thirteen Original States in adopting measures to provide for the

proper celebration by the Nation of the Centennial Anniversary of the Framing and Promulgation of the Constitution of the United States of America.

There were present:

The Hon. Fitzhugh Lee, Governor of Virginia, with Staff;  
Hon. H. D. McDaniel, Governor of Georgia, and Staff;  
Hon. Henry Lloyd, Governor of Maryland, and Staff;  
Hon. Charles C. Stockley, Governor of Delaware, and Staff;  
Hon. Robert E. Pattison, Governor of Pennsylvania;  
Hon. George H. Wetmore, Governor of Rhode Island;  
Hon. Edward F. Jones, Lieutenant-Governor of New York;  
Col. James A. Hoyt, Acting for Governor Sheppard, of South Carolina;  
Messrs. A. F. R. Martin, John C. Besson, F. S. Alcott, A. M. Jewett,  
a Committee of the Legislature of New Jersey;  
Thomas Cochran, Esq., Chairman of the Committee of Citizens of Philadelphia;  
Hon. John Bardsley, Chairman of the Joint Committee of the Councils of the City of Philadelphia, and many distinguished citizens.

Addresses of welcome were delivered by Charles F. Betts, in behalf of the Carpenters' Company, and by Hampton L. Carson, in behalf of the citizens of Philadelphia.

#### ADDRESS OF HAMPTON L. CARSON.

##### *Governors and Representatives of the Colonial States:*

The agreeable duty has been assigned to me of bidding you welcome in the name of the citizens of Philadelphia. You have been summoned to participate in the preparations now being made for the proper celebration of the centennial anniversary of the most important event in our history as a people, of the sublimest political achievement in the annals of mankind.

With uncovered heads and with reverent feet you entered, a few moments ago, the sacred Hall of Independence, and now, in the spirit of worshippers before a shrine, you stand upon the very spot where the first Continental Congress protested against the tyranny of the British crown. What a contrast between that day and this! Then a handful of feeble but heroic men, hemmed in upon a narrow strip of land between the ocean and the wilderness, without money or friends, of divided strength and distracted councils, dared all the terrors of destructive war in defense of life, liberty and the pursuit of happiness. To-day their children's children, gathered from the broad expanse of a continent as boundless as the sea, rich, happy, strong and prosperous, constitute the most powerful and re-

spected nation of the earth. Such are the results of a century of freedom. Such are the splendid trophies of local self-government. Such are the rich fruits of our Federal Union. Such are the blessings of man's conquest of himself.

We have met together, not for the purpose of commemorating the casting of the tea into Boston harbor, nor of recalling that day when the "embattled farmers fired the shot heard round the world," not to celebrate the Declaration of our Independence, nor yet to live anew in that glad hour of victory and exultation, when after six years of arduous struggle the sword of Cornwallis was surrendered to Washington, but to prepare to perpetuate by appropriate ceremonies that far grander and more memorable day when thirteen sovereign States, casting aside their conflicting interests, their rivalries and jealous fears, entered into a close and lasting Union, and gave to the world the Federal Constitution, which the greatest living statesman of England has pronounced to be "the most wonderful work ever struck off at a given time by the brain and purpose of man."

This is the occasion of our meeting, and it seems proper to review briefly some of the events which rendered a Union of the States both possible and necessary. Prior to the Declaration of Independence, none of the Colonies were, or pretended to be, sovereign States in the sense in which we now use the term. They were colonies, chartered, provincial or proprietary, dependent in a measure, upon the crown, although exercising many of the powers of self-government. But when, bending beneath the weight of oppression, they threw off their allegiance and proclaimed their independence, they became, "and of right were free and independent States." Without stopping to refine, or to closely scrutinize the exact nature of their powers, the Congress of '75 assumed at once some of the highest functions of sovereignty. They promptly took measures for national defense and resistance, equipped an army and navy, raised money, emitted bills of credit, contracted debts upon national account, established a national Post-office and prize Courts for the condemnation of prizes with appellate jurisdiction to themselves. In '76 they took bolder steps and exercised powers which were revolutionary. The validity of these acts was never doubted or denied by the people. In '77 the celebrated articles of "Confederation and Perpetual Union" were introduced, but were not ratified, so as to become obligatory upon all the States, until March, 1781. Shortly after this time, the war was practically at an end, and then it was perceived that the principal powers related to operations of war and were unsuited to times of peace. Congress could send out and receive ambassadors, but they could not command the means to pay their ministers at a foreign court. They could contract alliances, but

could not raise money or men to give them vigor. They could enter into treaties, but every State might break them with impunity. They could institute Courts for piracies and felonies on the high seas, but they had no means to pay either judges or jurors. They could contract debts, but could not pay a dollar. They could pledge the public faith, but could not redeem it. They could not raise any revenue, levy any tax, enforce any law, secure any right or regulate any trade. In short they could declare everything, but do nothing. Congress was at the mercy of the States. They had no resource except persuasion. There was an utter want of coercive authority to carry into effect a Constitutional decree. That power to enforce obedience—which jurists call the *sanction* of a law—was lacking. The disobedient could not be punished. No fines could be imposed, no imprisonment be inflicted, no privileges be divested, no forfeitures be declared, no refractory officers be suspended. The only way in which money could be raised was by requisitions upon the States, and compliance depended upon the patriotism and good nature of the Legislatures. Obedience was sometimes tardy, resistance was sometimes defiant. Without an executive, without a judiciary, without a balance wheel to control the violence of passion, the government, if such it could be called, was misshapen, palsied and powerless. Every measure, however just, required the assent of nine States, and however urgent the necessity for immediate action, involved the fatal delay of debate in thirteen separate Legislatures. The result was as might have been expected. The Union “was but a rope of sand.” The public debt amounted to forty-two millions of dollars, eight millions of which were due to France and Holland, our generous allies at the darkest hour of the struggle, and there was no power anywhere to redeem the National honor. Thousands of our best citizens, whose patriotism and bravery had saved the country, held the dishonored bills of the Continental Congress. The army, clamoring for pay, mutinous and sullen, threatened to open the flood gates of civil discord and deluge the land with blood. The navy, which, under Paul Jones, had proudly swept the seas, now cowered beneath the bold swoop of the corsairs of Algiers. Trade languished, commerce was dead. Rebellion reared its horrid crest in Massachusetts, and the Congress, which had braved King. Lords and Commons, fled from Philadelphia to Princeton, when insulted by a squad of mutineers commanded by sergeants.

At this day it is impossible to fathom the depth of that dark pit of degradation into which this Nation had been cast at the close of the Revolution. It seemed as if all the blood, the treasure, the sacrifices and the anguish of those eight years of war had been spent in vain. How empty was the boast that this was the “People’s



Government!" The fruits at which they grasped had turned like Dead Sea apples into ashes at the touch—the vision which had lured them onward now mocked them in their misery. Ruin, despair, civil paralysis, bankruptcy, disunion, discord, dishonor! The cynic might have sneered: "Far better would it have been to have paid that paltry tea tax, and argued rather than have thrashed the British ministry into acquiescence with our views concerning taxation and representation." But God stood "within the shadow, keeping watch above his own," and out of chaos evolved our beautiful political planetary system, where each State, while moving in an orbit of its own, revolves with the music of the Union about the Federal Constitution as a central sun. Then order came and peace to troubled hearts. Prosperity smiled upon us and benignant Heaven showered down her choicest gifts. Not Rome in her two thousand years of conquest, not England in her marvelous career, had ever witnessed or dreamed of the astounding growth and vigor which we have displayed in one hundred years of Constitutional Government. Not after the models of Achaian Leagues, nor of Italian Republics, nor of Swiss Cantons, nor of the Dutch Commonwealth, nor even of Constitutional Monarchy did our fathers build; but after a style of architecture all their own, inspired by faith in the great Giver of All Good and upheld by an unfaltering trust in man, his powers, his capacities, his rights, his duties and his immortal destiny, they laid the deep foundation and reared the swelling dome of the People's Government, which, surviving the shock of foreign war and civil strife and furious debate, has emerged from every storm stronger, purer, sanctified.

In the presence of these hallowed memories, in this sacred hall, let us invoke the shades of our immortal sires, and like them, forgetting and forgiving all real or fancied wrongs, and rising above all sectional prejudice and jealousy, in a spirit of fraternal affection and regard, renew our vows of fealty to the Constitution, and by a fitting celebration of that great day when it became the organic law of our beloved Republic, proclaim to our children that for them as for us that Constitution is the Ark of the Covenant—the bond, the pledge, and the source of Union. Thus, standing in this temple of liberty, with our hands upon the horns of the altar and our hearts quickened with celestial fire, we can go forth without fear to meet the responsibilities of the century to come.

After the delivery of Mr. Carson's address, the Convention organized, and, upon motion, Governor Fitzhugh Lee of Virginia was elected as Chairman, and Hampton L. Carson, Esq., of Philadelphia, was chosen as Secretary.

A Committee, consisting of all the Governors present, was ap-



pointed to draft and submit resolutions, which were subsequently adopted, as follows:

WHEREAS, The adoption of the Constitution of the United States of America is the most important event in the history of the American people, and that instrument is the sublimest political achievement of mankind; and,

WHEREAS, The Centennial Anniversary of this memorable epoch is now close at hand; and,

WHEREAS, The Legislature of New Jersey has, by resolutions passed the 2d day of June, A. D. 1886, invited the Governors and Representatives of the Thirteen Original States to assemble in Philadelphia and consider the propriety of preparing for a National Celebration; and,

WHEREAS, The Governors and Representatives of said States have met in Philadelphia, upon the seventeenth day of September, A. D. 1886;

*Therefore, Be it Resolved,* By the Governors and Representatives of the Colonial States in meeting assembled, that the Federal Government, and each State and Territory of the Union, be invited to unite in preparations for a proper celebration, to be held at Philadelphia, upon the seventeenth day of September, A. D. 1887; that the President be invited to formally communicate to Congress, at their next meeting, the fact that this administration closes the first century of Constitutional Government, and to urge upon that body the propriety of taking measures to render the celebration worthy of an occasion of such dignity and importance; that the Executive of every State and Territory in the Union be formally communicated with, and urged to press upon the attention of their people the fitness of their hearty co-operation; that this body communicate, through its Chairman and Secretary, with the President of the United States and with the Governors of the States and Territories, and request them to appoint a delegate to meet in Philadelphia on Thursday, the second day of December, A. D. 1886; said delegates to organize as a permanent organization, with power to devise such plans and measures as will, in their judgment, secure a celebration worthy of so great an event.

*Resolved,* That the City of Philadelphia be requested to appoint a Committee of citizens to co-operate with said permanent organization.

The Convention then adjourned.

In pursuance of the Resolutions adopted by the Governors and Representatives of the Thirteen Colonial States, letters were addressed by the Hon. Fitzhugh Lee, Chairman, to the Governors of all the States and Territories, inviting them to appoint Commissioners

to be present at a Convention to be held at Philadelphia on the second day of December, 1886.

These letters were accompanied by copies of the Resolutions adopted at the meeting of September 17th, and also by letters from the Hon. John Bardsley, Chairman of the Joint Committee of the Select and Common Councils of the City of Philadelphia, and from Thomas Cochran, Esq., Chairman of the Citizens' Committee, pledging their co-operation and support.

In response to this request, Commissioners were appointed by the Governors of Massachusetts, Connecticut, Rhode Island, New Hampshire, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Tennessee, North Carolina, South Carolina, Mississippi, Florida, Ohio, Illinois, Iowa, Indiana, Michigan, Missouri, Oregon, Idaho, Wyoming, Dakota and Montana.

#### THE PROCEEDINGS OF THE CONSTITUTIONAL CENTENNIAL COMMISSION.

The Commissioners appointed to represent their States and Territories met in Parlor C of the Continental Hotel in Philadelphia, upon December 2, 1886. They were received by a large body of citizens.

Addresses of welcome were delivered by Thomas Cochran, Esq., Chairman of the Citizens' Committee, and by the Hon. John Bardsley, Chairman of the Joint Committee of the Councils of Philadelphia.

The Convention was then called to order. The Hon. John A. Kasson of Iowa was called to the chair, and Hampton L. Carson, Esq., of Philadelphia, was chosen Secretary.

Mr. Reeve of Indiana, Mr. Little of Pennsylvania and Mr. Henry of Virginia were appointed a Committee on Credentials, and reported the following Commissioners as present:

JOHN A. KASSON	Iowa
JAMES V. CAMPBELL	Michigan
HENRY C. ROBINSON	Connecticut
BENJAMIN A. KIMBALL	New Hampshire
ROWLAND HAZARD	Rhode Island
HENRY FAILING	Oregon
JOHN H. RODNEY	Delaware
MARCELLUS GREEN	Mississippi
HENRY CABOT LODGE	Massachusetts
THOMAS T. GANTT	Missouri
CLINTON P. PAINE	Maryland
CHARLES H. REEVE	Indiana
JAMES D. RICHARDSON	Tennessee

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WILLIAM H. HOLLIDAY	Wyoming
JAMES A. HOYT	South Carolina
AMOS R. LITTLE	Pennsylvania
WILLIAM WIRT HENRY	Virginia
EDWARD W. KNIGHT	Montana
CHARLES G. GARRISON	New Jersey
J. J. FINLEY	Florida
EDWARD F. JONES	New York

On the second day of the Convention L. W. Barringer, Esq., appeared as Commissioner from North Carolina, and Hon. N. G. Ordway as Commissioner from Dakota.

A letter was read from the Hon. Alfred T. Goshorn of Ohio, regretting his inability to be present, but accepting the position of Commissioner in behalf of his State. Hon. D. B. Lucas of West Virginia, Hon. John M. Palmer of Illinois, and Hon. John Hailey of Idaho, although appointed as Commissioners, were unable to be present.

Upon motion a Committee was appointed, of which the Chairman of the Convention was to be *ex-officio* a member, to confer with a Committee of Citizens of Philadelphia for the purpose of preparing and submitting a plan of procedure to be observed as appropriate to the proposed national celebration. The Committee consisted of Henry Cabot Lodge, Chairman; William Wirt Henry, James A. Hoyt, Edward W. Knight, John A. Kasson, Amos R. Little and Edward F. Jones.

The Committee of Citizens of Philadelphia consisted of Edward Shippen, Esq., Chairman; John Lucas, Edward T. Steel, Thomas J. Smith, Frank M. Etting, David G. Yates and T. Morris Perot.

The Joint Committee, through Mr. Lodge as Chairman, presented a report, which, after discussion, was adopted in the following form:

The Committee to whom was referred the duty of conferring with the Committee of Citizens of Philadelphia and with the Councils of the city of Philadelphia, in regard to the proposed celebration at Philadelphia, on the seventeenth day of September, 1887, of the Centennial Anniversary of the Signing of the Constitution of the United States, have the honor to report:

First—That there be an Oration and Poem in commemoration of the signing of the Constitution.

Second—That there be a military display, in which the United States shall be invited to be represented by each of its Military and Naval Service, that the several States and Territories, and the District of Columbia shall be invited to be represented by their Militia and Volunteer Service; that the President of the United States be requested to designate officers to command the same.

Third—That there be an Industrial Processional Display:

Fourth—That invitations to participate in the Celebration be extended to the President of the United States and his Cabinet, the Federal Judiciary, Congress and the Representatives of all Departments of the National Government, to the Governors of each State and Territory, to the Judiciaries and Legislatures of the same, and the Representatives of the several Departments thereof; to the Commissioners of the District of Columbia, and to the various Civic Organizations and Associations of the Union; and that the resident Representatives of Foreign Governments having friendly relations with the United States be invited to participate.

Fifth—The creation of a suitable memorial in the city of Philadelphia, commemorative of the Signing and Adoption of the Constitution and of the Progress of the Nation since that period.

It was also

*Resolved*, That the Commissioners should be requested to report at once to the Governors of the States and Territories which they represent the action of this Convention, and ask the prompt and earnest co-operation of the States and Territories in carrying out the programme adopted by the Convention; and that the Secretary be directed to make a similar report to the proper authorities of the United States and of the States and Territories which have not been represented in this Commission, and that the latter be again requested to appoint representatives in this Commission as early as possible.

On motion of Mr. Reeve of Indiana, it was

*Resolved*, That a Committee consisting of thirteen members be appointed, which shall be a sub-Commission, and have the powers of the general Commission, and be authorized to arrange and provide for all details to carry out the programme adopted, and shall have general charge, with power to appoint other committees and all managers and necessary officers to co-operate with other committees or persons who may be appointed to aid in the design; with power to confer all authority on all persons by them selected, and to carry into operation the details that may from time to time be decided on, subject at all times to the control of this body.

The President, in pursuance of the above resolution, appointed the following sub-Commission:

Amos R. Little, of Pennsylvania, Chairman; William Wirt Henry, of Virginia; Henry Cabot Lodge, of Massachusetts; James A. Hoyt, of South Carolina; Charles H. Reeve, of Indiana; E. F. Jones, of New York; Clinton P. Paine, of Maryland; Alfred T. Goshorn, of Ohio; Thomas T. Gantt, of Missouri; Marcellus Green, of Mississippi; Henry C. Robinson, of Connecticut; and N. G. Ordway, of Dakota.

Judge Campbell of Michigan expressing his inability to serve, Charles G. Garrison of New Jersey was appointed in his place.

On motion of Mr. Little, it was agreed that the President and Secretary be made *ex officio* members of the sub-Commission.

On motion of Mr. Reeve from Indiana, the following resolution was adopted as amended by Mr. Richardson from Tennessee:

*Resolved*, That the Thirteen Commissioners appointed to take charge of the details of the celebration be authorized to fill any vacancies occurring in their own body unless action be taken by this organization, with power to add to their number representatives from States not at present represented in the Commission.

*Resolved*, That the sub-Commission be authorized and directed to memorialize Congress and ask their aid and co-operation in accomplishing the purposes of this great memorial celebration on the part of the people of the Union.

Colonel Hoyt of South Carolina offered the following Resolution, which, after debate as to the number of copies to be printed, was adopted:

*Resolved*, That the Secretary be instructed to print at least five thousand copies of the proceedings of this Commission, and to include the proceedings of the meeting of the Governors of the Original Thirteen States, held in this city on the 17th of September last, together with the opening address of Mr. Hampton L. Carson on that occasion.

On motion of Mr. Hazard of Rhode Island the Commission adopted the name of "The Constitutional Centennial Commission."

On motion of Mr. Henry of Virginia, the Hon. John A. Kasson of Iowa was elected President of the Commission, and the Hon. Henry Cabot Lodge of Massachusetts and Colonel James A. Hoyt of South Carolina were elected Vice-Presidents.

Mr. Lodge, as Chairman of the Committee appointed to prepare an address to the people of the United States, made the following report, which was adopted:

The Convention of Delegates appointed by the several States and Territories to take steps toward the celebration of the Signature of the Constitution feel it their first duty to call the attention of the country and of both press and public to the approach of this great Anniversary.

It becomes us also to recall the characteristics of the change in the government of States effected by the tranquil adoption of a system of checks to the heated impulses which political strife has always aroused. The barrier to hasty legislation effected by an organic law, unchangeable except by processes involving delay, and so securing an interval in which reflection might resume its sway over passion, was to all practical purposes a novelty a century ago.

The success of the great experiment depended eventually upon the reverence with which men might be brought to regard the fundamental and supreme law, and upon the determination to consider it, in the nature of things, inviolable, except by the surrender of every respectable attribute of an upright people.

Upon the existence of this reverence the statesmen of 1787 relied, and to its existence and preservation their descendants owe whatever is valuable in the institutions they inherit. To strengthen and quicken the sense of the sacredness of this principle and the paramount duty of observing it, and to admonish our countrymen that only by intelligent perception of its transcendent importance, can be assured a continuance of the blessings which make us the admiration of the world, seems a prominent duty of this Commission.

The successful formation of the Constitution was the most momentous event in the history of the American people, and marks an epoch in the history of the civilized world. Under the Constitution this great nation has grown up and prospered, and on the continued success of our system of constitutional government depends, in large measure, the future welfare and happiness not only of our own people but of mankind. We believe that the people appreciate, in a solemn and grateful spirit, the character of this celebration, and that they will give it that hearty support throughout the length and breadth of the land which will make it, in all ways, worthy of the occasion and the event.

The Commission then adjourned to meet upon the call of the President, or of the Executive Committee to be appointed by the sub-Commission.

On motion of Mr. Hare, the foregoing message and accompanying documents were referred to the Committee on Federal Relations.

On motion of Mr. Cauthorn, it was ordered that the following bills be made the special order for this evening at 8 o'clock, to-wit: House Bills Nos. 59, 60, 72, 94, 96 and 147 and S. B. No. 167.

Mr. Allen, Chairman of the Committee on Fisheries, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee on Fisheries, to whom was referred Senate Bill No. 175, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following



## AMENDMENTS.

Strike out the word "three" in line 4 of Section 7 of the printed bill and insert the word "two."

Strike out the word "twenty" in second line of Section 7 of the printed bill and insert the word "ten."

JOHN C. ALLEN,  
Chairman.

On motion of Mr. Allen the amendment to S. B. No. 175 as above reported and adopted was agreed to.

On motion of Mr. Allen, S. B. No. 175 was ordered engrossed and made the special order at 10:30 o'clock A. M., February 16, 1887.

Mr. Looney, Chairman of the Committee on Agriculture, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 14, 1887. }

*Mr. President*—Your Committee on Agriculture, to whom was referred House Bill No. 145, introduced by Mr. Paulsen, beg leave to report that they have had the same under consideration and would respectfully report it back to the Senate with the recommendation that it do pass with the following

## AMENDMENTS.

Amend Section 2 by striking therefrom all of lines 21, 22 and 23, printed bill.

J. B. LOONEY,  
Chairman.

On motion of Mr. Irvine, the amendments were adopted and agreed to.

Mr. Irvine moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Bird, Coleman, Cartwright, Chandler, Cauthorn, Dawson, Emmett, Gray, Hare Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Allen, Barin, Chamberlin, Dimick and Rinehart—5.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?"

Pending this question Mr. Hare moved to refer the bill for a correction.

The motion prevailed and it was so ordered.

On motion of Mr. Simon, the vote whereby S. B. No. 180 was referred to the Senator from Umatilla was reconsidered and Mr. Simon, by unanimous consent, withdrew his motion to refer.

And the action of the Senate recurring now upon the question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Emmett, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—Messrs. Dawson and Dimick—2.

Absent—Messrs. Cartwright, Gray and Hare—3.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr Lee introduced and submitted the following amendments to S. B. No. 176:

#### FIRST AMENDMENT.

Section 7, line 3, add: *Provided*, that this Section shall not apply to any vested rights or loans or investments made prior to the passage of this Act.

#### SECOND AMENDMENT.

Section 8, line one, after the word "and" strike out the word required and insert the word "may" in lieu thereof.

#### THIRD AMENDMENT.

Section 16, line three, strike out "fifty per centum of the premiums received on all unexpired risks."

#### FOURTH AMENDMENT.

Section 18, line 7, strike out after the word "however" all of lines 7 and 8, up to and including the word "numbers," and insert in



lieu thereof, "that all orders or secret societies, such as Masons, Odd Fellows, Druids, Knights of Pythias, Ancient Order of United Workmen, Grangers, Firemen and other benevolent or fraternal co-operative societies, associated or incorporated for the sole purpose of mutual protection and relief of its members, and for the payment of stipulated sums of money to families of deceased members or for property destroyed by fire and not for profit, are hereby declared not to be life or fire insurance companies, in the sense and meaning of the insurance laws of the State, and they are exempt from the provisions of all insurance laws of the State.

On motion of Mr. Lee, the foregoing amendments to S. B. No. 176 were adopted.

On motion of Mr. Lee, S. B. No. 176 was ordered engrossed to take its place on the calendar.

Mr. Shupe, Chairman of the Joint Committee on State Board of Immigration, to whom was referred S. B. No. 130, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 14, 1887. }

*Mr. President*—Your Joint Committee on State Board of Immigration, to whom was referred S. B. No. 130, beg leave to report that they have had the same under consideration, and would respectfully report back to the Senate a substitute, with the recommendation that the substitute do pass.

JOHN H. SHUPE,  
Chairman.

On motion of Mr. Shupe, the foregoing report was adopted and the substitute reported introduced as S. B. No. 181, being a bill for an Act to create a State Board of Immigration and Manufacturing Commission.

Mr. Shupe moved that the rules be suspended and S. B. No. 181 be read a first time by title now.

On this question the roll was called and the vote was

Those voting aye were:

Messrs. Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Miller, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Allen, Barin, Cartwright, Chandler, Hamilton, Looney, Rinehart, Steel—8.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Shupe moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Allen, Cartwright, Chandler, Hare, Looney, Rinehart—6.

So the rules were suspended and the bill was read a second time by title.

Mr. Shupe moved that the rules be further suspended and the bill be read the third time and placed upon its final passage now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hamilton, Irvine, Lee, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Allen, Cartwright, Chandler, Gray, Hare, Looney, Rinehart and Wager—9.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?"

Pending action upon this question Mr. Coleman moved that the bill be printed and made a special order for 2 o'clock to-morrow.

Upon this question Messrs. Wager and Miller called for the ayes and nays, and the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Bird, Coleman, Cartwright, Chamberlin, Dawson, Hamilton, Irvine, Looney, Siglin, Simon, Stanley, Veatch, Weatherford—14.

Nays—Messrs. Barin, Dimick, Emmett, Gray, Lee, Miller, Rinehart, Shupe, Steel, Wager and Watts—11.

Absent—Messrs. Chandler, Cauthorn, Hare, Williams and Mr. President—5.

So the bill was ordered printed and made the special order for 2 o'clock to-morrow afternoon.

Mr. Looney, Chairman of the Committee on Agriculture, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee on Agriculture to whom was referred House Bill No. 145, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following

## AMENDMENTS.

Strike out all in Section 3, after the words "for sale," in the 50th line of original bill, as follows to-wit:

And every such package, print or roll, sold or offered for sale, shall contain one-half pound or some multiple thereof, and no package shall be sold or offered for sale which contains any fractional portion of one-half pound.

J. B. LOONEY,  
Chairman.

On motion of Mr. Irvine, the foregoing amendments were adopted and agreed to.

H. B. No. 145 having been read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Simon, Stanley, Williams, Weatherford, Watts—24.

Nays—Mr. Wager—1.

Absent—Messrs. Hare, Shupe, Steel, Veatch and Mr. President—5.  
So the bill was declared passed.

S. B. No. 121 was read the third time, and the question being, "Shall the bill pass?"

Pending final action Mr. Wager moved a call of the Senate.

The roll was called and the following members were found to be absent: Messrs. Allen, Hare, Rinehart, Looney, Steel and Weatherford—6.

Upon the arrival of the absent members Mr. Wager moved that a further call of the Senate be dispensed with, which motion prevailed.

Those voting aye were:

Messrs. Allen, Chandler, Cauthorn, Hare, Lee, Miller, Stanley and Wager—8.

Nays—Messrs. Barin, Bird, Coleman, Cartwright, Chamberlin,

Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Looney, Shupe, Veatch, Williams, Weatherford, Watts and Mr. President—18.

Absent—Messrs. Rinehart, Siglin, Simon and Steel—4.

So the bill failed to pass.

Mr. Allen, Chairman of the Committee on Claims, submitted the following report under leave to report at any time:

#### REPORT.

SENATE CHAMBER,  
SALEM, February 11, 1887. }

*Mr. President*—Your Committee on Claims, to whom was referred H. B. No. 90, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it does pass.

JOHN C. ALLEN,  
Chairman.

Mr. Allen, Chairman of the Committee on Claims, submitted the following report on leave to report at any time:

#### REPORT.

SENATE CHAMBER,  
SALEM, February 14, 1887. }

*Mr. President*—Your Committee on Claims, to whom was referred House Bill No. 225, for the relief of Fred Benkee, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

JOHN C. ALLEN,  
Chairman.

The following is a copy of the report of the Joint Committee appointed under S. J. R. No. 3, referred to in the report of the Chairman, Mr. Dimick, made February 10, 1887:

#### REPORT.

*Mr. President*—We, your Committee appointed by Senate Joint Resolution No. 3 to investigate the books and papers of the State Treasurer and the State Board of Land Commissioners with reference to the management and sale of swamp lands, hereby make the following report:

Very soon after commencing the work of examination in the office of the State Board, it became evident that the Joint Resolution un-

der which we were acting required an impracticability, inasmuch as it specified numerous lines of report and stipulated that said report should be made to the Fourteenth Regular Session of the Legislative Assembly.

There are no maps or plats in the office of the State Board or in any of the State offices showing the location of the original filings or the supplemental or amended filings; and it is impossible to trace the course of many of them from the original through the amended or supplemental to the last specification of lots or tracts embraced in the certificates issued by the State Board.

In fact, the ruling or habits of the State Board, from the passage of the Swamp Land Act in 1870 until its repeal by the Act of 1878, rendered maps and plats in part unnecessary, as showing the exact location of tracts of land filed upon by the applicants to purchase swamp or overflowed lands. For how could any clerk, however skilled, delineate upon a map an unknown and undescribed area of swamp land lying between Beaty's Butte and Steins' Mountain and between certain parallels of latitude, or all the swamp land in a certain number of townships or sections, or all the swamp land between two towns, and south of a certain road, and north of a certain ridge? And such descriptions were accepted in the interval from 1870 to 1878 as aforesaid, and continued as regular by the State Board from 1878 until the present time. For proofs of this see Governor Thayer's opinion, in the Owens-Ish case, which has been the rule of the Board from the first.

The greater number of applicants, mainly for small tracts, of from 40 to 640 acres, were regularly described; but all of the large tracts, with one or two exceptions, were, as before stated, impossible of location upon a map, and consequently the Board has got along without the aid of maps.

The applications kept in envelopes are each numbered in the order of time as to reception, and each contains a short memorandum of the date of filing, the amount of money paid, the date of payment, date of assignment, if any, and the number in all over 1100. The greater part of them are valueless, as no money has been paid upon them, and the time for filing upon lands under the Act of 1870 has long since passed. Abstract "A" contains a list of all those upon which money was paid prior to January 17, 1879, the time when the Act of 1878 took effect. Many of those in Abstract "A" are quite indefinite, and the amounts paid, sometimes given in pencil and very brief, have to be guessed at. For instance, "16 pd," or "420 pd," being the 20 per cent. of the number of acres claimed, are presumably intended to mean that Thomas Cann, agent of the Board of Commissioners for the Sale of State Lands, did on a certain day receive \$16 or \$420 on the within application. The memoranda

upon applications received since Mr. E. P. McCornack has acted as Clerk are full and complete. The envelopes also contain letters, quit claim deeds, notices of assignment, memoranda of the return of purchase money, etc., and there are no other records pertaining to the applications.

According to Section 2 of the Act of 1870 it is made the duty of the Commissioner (now State Board) as soon as the selections of swamp lands in any County are completed to make out maps and descriptions thereof in duplicate, one copy to be kept in suitable books in his office, the other to be filed in the office of the County Clerk of the County where the lands are located; said County Clerk is then to forward his official certificate, upon the receipt of which by the Commissioner he is to publish a notice of said completion, approval and filing, after which, within ninety days, the applicants for the purchase of swamp lands under the Act of 1870 "shall pay 20 per cent of the purchase money," etc.

We find no records in the office that the law has been obeyed in respect to these last enumerated provisions. There is no proof of the publication of notice as required, and the Clerk of the Board, Mr. E. P. McCornack, has no knowledge of any. See his sworn statement accompanying this report. It is, therefore, impossible for us to tell whether the 20 per cent. payment by applicants has been made in conformity with law or not. Evidently a tender of the 20 per cent. payment, not in accordance with law, is not a legal tender, and binds no one.

By comparing abstracts "A" "B," it will be seen that the 20 per cent. payment had been made upon only a small part of the State swamp lands prior to the 17th of January, A. D. 1879, the date when the Act of 1878 took effect, and consequently the remainder, amounting to 567,798.60 acres, are subject to entry under the Act of 1878, and at \$2 50 per acre, will, when sold, yield the sum of \$1,414,495.

Under the ruling of the State Board, declared in the Owens-Ish case, which has been followed to this time, this large body of swamp lands has been disposed of, so far as the Board could dispose of them, for \$1 00 per acre, a direct loss to the State of \$848,697.

If the people of the State, by their Representatives in the Legislative Assembly, accept the ruling of the Board as the correct one, then there is probably no need of a report from this Committee, for there are no more swamp lands worth mentioning to sell.

The records of the office of the State Board for the last nine years show but four small sales of swamp land amounting to about 800 acres, under the provisions of the Act of 1878, a pretty conclusive proof that the aforesaid ruling leaves comparatively nothing to sell under the later Act of 1878.

We, your Committee, do not presume for a moment that we constitute a Court of law, but in response to the requirements of the Joint Resolution under which we are acting, asking us to report upon what authority the State Board have been issuing certificates or patents to swamp lands when the 20 per cent. was not paid until after January 17, 1879, it is proper to show the process by which the Act of 1878 has been and is defeated of its purposes.

Section 9 of the Act of 1878 provides that "all applications for the purchase of swamp and overflowed lands, or tide lands, made previous to the passage of this Act, which have not been regularly made in accordance with law, or which were regularly made and the applicants have not fully complied with all the requirements of the law under which they were made, including the payment of the 20 per cent. of the purchase price, are hereby declared void and of no force or effect whatever." This section of law is as plain as words can make it, but Governor Thayer, acting as the head of the State Board, said a "strict construction of this language might have the effect to forfeit all applications where the 20 per cent. had not been paid, although the applicant had fully complied with the law as far as circumstances would admit of a compliance." And, further, "The Legislature may have had the power to suspend every application of that character and declare it a nullity, *but* we don't think it so intended." \* \* \*

The language of the law ought to be sufficient evidence of the intention of the Legislature, but if more is wanting to show that the Legislature did intend what it said, reference is hereby made to page 487 of the House Journal of the year 1878.

The record is as follows: "Mr. Gates offered the following amendment and moved its adoption: Amend Section 10, printed bill, by adding the following: *Provided*, nothing in this Act shall be construed as to forfeit or defeat any legal rights heretofore acquired under the laws of this State, or to prevent applicants for the purchase of any swamp or overflowed land from proceeding to comply with the requirements of said laws within the time therein limited."

This amendment was defeated by a vote of 48 to 9, thereby showing that the house was almost unanimously opposed to allowing applicants to go on and complete their work of acquiring titles to land under the Act of 1870, and it also shows that the nine members who voted for the adoption of the amendment did not understand Section 9 of the Act they were trying to amend, as Governor Thayer does. This legislative expression is conclusive as to the intent of the most numerous branch of the Assembly which enacted the law



of 1878, and there is not a particle of evidence that the Senate thought or intended differently.

Three able lawyers co-operated in drafting the Act of 1878, and all of them have said that they were exceedingly surprised at the assertion of Governor Thayer, that the Legislature did not intend to stop proceedings under the Act of 1870.

Even if it could be supposed that the intention of the Legislature was left in doubt, there could be no doubt as to the duty of the "State Board," which is composed of the Governor, Secretary of State and State Treasurer, all of them sworn to support the Constitution of the State, to see that the laws are faithfully executed, and all of them bound by the most sacred obligations which can bind men, to promote the general welfare, to conserve and protect the public interests, peace and prosperity. They can have no other rule of conduct than public justice and public policy, upon which all doubts as to the intent or meaning of the law must turn. A contract between individuals which is in violation of public policy has been declared void by the Supreme Court of this State and of other States, and if private persons may not offend against public policy how much greater are the obligations of the highest officers of State, who are especially commissioned to guard the public interests from invasions, without and within?

In the case of Ben Holladay vs. A. W. Patterson, to collect a subscription conditioned upon the laying of a railroad track in a certain line and building a depot in a certain place, which conditions were fulfilled, the Supreme Court of this State declared as follows, Fifth Oregon Reports, p. 177:

"It is not disputed but that contracts against public policy are illegal and void, but the appellant insists that the contract in question is not of that character. *Public policy* is a vague expression and few cases can arise in which its application may not be disputed. Mr. Story, in his work on contracts, (§546) says: 'It has never been defined by the Courts, but has been left loose and free of definition, in the same manner as fraud. This rule, however, may be safely laid down, that wherever any contract conflicts with the morals of the times and contravenes any established interest of society, it is void as being against public policy.'"

We do not wish to be understood as saying or implying that the State Board at any time have had contracts with individuals or companies prejudicial to the interests of the State, but we do wish to be understood as saying, that in their rulings as to the management and sale of all the lands of the State, they must consider that the people of the State have a paramount interest, and this interest is expressed by the phrase public policy. Let us admit that the Act of 1870, relating to the selection and sale of swamp lands, was a



public misfortune, in that it might lead to that most hateful of all conditions, land monopoly, but in so much more was the duty of our State officers increased to guard the public interests from unnecessary harm. Construction of a statute is a necessity with an officer who is called upon to obey it, but the construction must be a reasonable one, and, if possible, it must be subservient to the greater interests of society.

So, if a strict construction of the Act of 1878 would prevent land monopoly and give homes to the many, and thereby relieve or prevent discontent and promote the general welfare, then plainly it was the duty of the State Board to construe it strictly. But there is no longer any doubt as to the meaning or intent of Section 9 of the Act of 1878; none as to the intent of the Legislature which passed it, for undoubtedly it means that all applications for the purchase of swamp and overflowed lands which have not been regularly made and those that, having been regularly made, the 20 per cent. was not paid upon until after the 17th of January, 1879, "are void and of no force or effect whatever."

We think, therefore, that the ruling of the State Board as aforesaid, which has been their guide ever since its promulgation on the twelfth day of September, 1882, is erroneous and should be abandoned; and inasmuch as it is only a ruling of the Board and without the force and effect of law, we have considered that all lands denominated swamp or overflowed, upon which the 20 per cent. was not paid prior to the 17th of January, 1879, are still public lands within the reach of the Act of 1878, and subject to entry and sale under its provisions.

So also of applications which did not describe the tract or tracts the applicant desired to purchase, and which were not properly amended so as to conform to the law of 1870 before its repeal.

The description of the tract of swamp land claimed by H. C. Owen, which was the subject of controversy in the Owens—Ish case aforementioned, was declared regular by the State Board, but if such a description as given in that case is regular, what, in the name of common sense, would be considered irregular?

The Board evidently proceeded upon the theory of the old law maxim, "that is certain which may be rendered certain by measurement and calculation," but it was clearly a misapplication in that case. The question before them was not whether a deed conveying all the swamp land between Beaty's Butte and Stein's Mountain and between certain parallels of latitude would be a good deed, but whether the application of H. C. Owen described the tract or tracts of swamp land he desired to purchase "by the actual survey, by legal subdivisions or by fences, ditches, monuments or other artificial or natural landmarks." It is enough to say that the application of

Owen did not describe the tract or tracts in any way. He merely claimed all the swamp land in a certain region of country, which is no more a description of the swamp land in it than it is of the dry land or the lakes it contained.

This decision, by its effects, was not only an offense against public policy, in that it withdrew from sale and settlement the greater part of the swamp lands in the State, which otherwise might have been sold to actual settlers in half-section tracts for \$2 50 per acre, but it doomed the Swamp Land Office to a continuation of confusion from which no amount of clerical skill can extricate it.

Other circumstances contributed to the confusion and disorder aforesaid, one of the principal being the habit of the Board during the administration of Governor Grover in receiving partial or 20 per cent. payments upon unsurveyed and unlisted lands, a great number of the applications made prior to 1878 being of that character. So far as we can determine from an examination of the records in the State Land Office, it was the custom to receive money with the application, and in many such nothing appears to have been done since as to reclamation or the payment of the remaining 80 per cent. of the purchase price, although in some of them more than ten years have passed since the first payment.

Another source of vexatious uncertainty as to the legal status of swamp land claims is the total absence of records that should have been kept of the meetings, decisions and general work of the State Board or Land Commission for about four years, during the Grover administration. The first meeting (recorded in a book) was on the 29th of September, 1870, and the last recorded meeting, of which the present Clerk knows anything, was on the 11th of September, 1874. Thereafter, until the commencement of the administration of Governor Thayer, there are no book records, and none of any description sufficiently particular to be reliable. The Investigating Committee of 1878 also pronounced them so.

There is no evidence in the office that publication of notice was ever made in accordance with Section 2 of the Act of 1870; and upon this much depends, as within 90 days from the date of said notice the 20 per cent. of the purchase price was required to be paid upon all applications within the County, and a tender of payment before publication would not be a legal tender. Moreover, an applicant tendering payment within the time specified should not be deprived of his legal rights on account of the negligence or omission of the agent of the State. We have found evidence in but one case of notice having been published, and that not in accordance with law. The statute plainly says: "So soon as the selection of swamp and overflowed lands in any County has been completed by said Commissioner of Lands," thereafter the notice must follow, but

in the case referred to in Grant County there had been no completion of selections, and none to this day, and yet notice was given covering lands that one man, A. H. Robie, desired to pay the 20 per cent. upon; apparently a special favor. Upon the filing of said Robie is pasted a clipping from the Bed Rock Democrat, which reads as follows:

#### SWAMP LAND NOTICE.

“ Having received the maps showing the swamp and overflowed lands within Township 29 S., Ranges 31 and 32 E. and T. 30 S. and 31 E., and T. 28 S., R. 31 E., notice is hereby given that the Board is now ready to receive the payments of 20 cents per acre for all said swamp and overflowed lands.

[Signed.]

T. H. CANN,

Agent for the Board of Land Commissioners, Salem, Oregon, March 20, 1877.”

If this notice is a true statement, then the Board misunderstood the law, as to the point before mentioned, and further, as to the time when publication should be made, viz.: after the Board had received the official certificate of the County Clerk of Grant County that he had received and filed the maps and lists of the completed selections in said County, sent him by the State Board. There is no evidence that the maps, etc., were ever sent to the Clerk of Grant County; none that the said Clerk ever returned his official certificate.

It is, however, rumored that the selections were made, out of the usual and legal way to accommodate Mr. Robie, who has received a certificate for 22,055.67 acres of so-called swamp land. The greater part of these lands have been deeded, since that time, to Glenn and French.

The act of the State Board in allowing persons whose applications were declared void by the law of 1878, to go on and amend their applications and pay the 20 per cent. has of necessity revived the repealed Act of 1870, and so we find the Board making publication of notice of the completion of selections in Grant County on December the 6th, 1883, and in Lake County, September 23d, 1884, and decreeing, in absence of all law, that within 90 days from the date of the aforesaid publications applicants must pay the 20 per centum.

The result of such proceedings has been to give certificates of purchase to one man, H. C. Owen, calling for 484,779.85 acres. The applications and descriptions of Mr. Owen are so voluminous, uncertain and peculiar as to require separate mention, and accordingly they have been exhibited by the clerks in three papers, viz.: Ex-

hibit "D," "E" and "F." Exhibit "D" contains a list, as near as we could determine, of his original application, designated by number, and reaching from December 8th, 1870, up to January 9th, 1879. These applications are, for the most part, exceedingly irregular, as they do not describe swamp land or dry land, but include both in unknown quantities. As near as can be computed, they cover something over a million of acres, an amount vastly in excess of all the swamp lands in the State. They are, nevertheless, the basis of his large claims (now mainly in the hands of other parties), but upon which or any of them, no 20 per cent. payment was ever made until after the 17th of January, A. D. 1879.

Exhibit "E" contains the amended applications of Owen, designated by the date, being selections from the original filings, and so difficult to trace, as to be beyond the time allowed to this Committee.

They are 14 in number and cover over one million acres.

It is quite probable that they overlap each other, but of that fact, as there are no maps of filings in the office of the State Board, we cannot inquire.

Nearly all of them contain this announcement, viz.: "This application is supplemental to my application heretofore made," without naming them or designating them in any way.

Under such circumstances it would require several months' time to come to any accurate conclusion concerning them. They extend in time from July 30, 1878, to June 8, 1884, but no payment of 20 per cent. was made upon any of them prior to January 17, 1879.

Swamp land warrants were tendered in some cases and refused, and an application to the Circuit Court in Marion County for a peremptory mandamus compelling the State Board to receive them was also refused by Judge Boise on the 30th of September, 1878.

They were not a legal tender for the reasons given by the Judge of the Court, and for another reason, the time had not arrived when the Board could legally receive any tender. There had been no completion of the selections to be made in Grant and Lake Counties and no published notice that the Board was ready to receive money upon said lands in the aforesaid Counties.

Exhibit "F" contains a list of the certificates of sale to Owen, nine in number, and dating from July 26, 1880, to March 10, 1885, described by legal subdivisions, and amounting as aforesaid to 484,779.85 acres, of which only a small part is listed to the State by the General Government. Probably the greater part of it is not swamp land, as the lists at present received, including Ankeney's selections, many of which are known to be fraudulent, amount to less than 130,000 acres.

The 20 per cent. on these claims of Owen's, amounting to \$96,-

857 68, was paid in swamp land warrants and cash after the repeal of the law of 1870, viz.: after the 17th of January, 1879, and certificates issued to him by the State Board at the times given in the list of Owen's certificates.

We have therefore entered in our list of lands belonging to the State and subject to entry under the law of 1878 all the lands certified by the State Board to Owen under the dead Act of 1870.

In the case of W. B. Todhunter it will be seen, by an inspection of the papers herewith marked Exhibit A, B and C, that 14,516.91 acres of land, certified by the *State Board* to Todhunter, were not covered by his original application by legal subdivision, dated January 13, 1879, and cannot, therefore, have an older standing as a filing than his amended application of January 17, 1882.

Mr. Todhunter, however, claims these 14,516.91 acres by virtue of a quit claim deed from H. C. Owen, dated the 17th January, 1882, and the said Todhunter's claim must rest upon the validity of Owen's. Owen, as usual, claimed all the swamp land in the townships containing Todhunter's descriptions, but upon which there was no payment of the 20 per cent. by Owen or any other person prior to the 17th January, 1882. See certificate of sale No. 131, in Record Book. A portion of Todhunter's certified land claims rests upon the validity of Abbott and Whitesides' application. The latter made their first application November 2, 1875, describing by metes and bounds unsurveyed lands in Grant County, containing 5049.5 acres. Abbott appeared again before the State Board January 13, 1879, and presented an amended application, describing the lands aforesaid by metes and bounds, and accompanied by a map representing unsurveyed lands, in area about 5'800 acres, and tendered \$1.170 as the 20 per cent. thereon, which was refused by the Board for the reason that the description covered unsurveyed lands. On January 18, 1882, Abbott and Whitesides deeded their rights in said lands to Todhunter for the sum of \$6,000. It also appears that on January 17, 1882, one day before the said deed was made, Todhunter presented another amended application, describing by legal subdivisions, supposed to cover the lands embraced by Abbott and Whitesides' application and also lands claimed in that section of country by H. C. Owen, all of them covering 8,300.88 acres, being an excess of 3,251.38 acres above Abbott and Whitesides' original application, and supposed to be the amount claimed and deeded by Owen to Todhunter. Owen's claim to said land, however, rests upon an indefinite description, such as "all swamp lands in a certain number of townships," and also upon the more weighty fact that no money was paid upon it until January 17, 1882, when the State Board issued a certificate of sale to Todhunter for the whole amount of 8,300 acres.

This latter amount has also been placed by us in the column of swamp lands subject to entry and sale under the Act of October 26, A. D. 1878.

In the case of John N. Vance of Baker County, we find the following, to-wit: On the 13th of January, 1879, four days before the Act of 1878 took effect, he tendered with his application to purchase swamp lands \$1,042, which was refused because the application was for unsurveyed lands. On the 5th of January, 1882, he paid \$160 on a filing of 800 acres and obtained a certificate, No. 129. On the 22d of November, 1881, he paid in swamp land warrants \$1,120, and certificate No. 127 was issued to him for 5,600 acres, being a total of 6,400 acres, which we have placed on our list; abstract "B," for sale at \$2 50 per acre.

In the case of B. F. Hutchinson, which we have examined critically, it appears that he made application to purchase swamp land, fairly described by metes and bounds, amounting to 500 acres, and paid thereon \$100, as the 20 per cent., prior to January 17, 1879. After this latter date, and the listing of the lands within his description, it was found that the Surveyor had miscalculated the area in his original description by 62.31 acres, and the Board allowed him to pay \$12 46, the 20 per cent. on this difference, and issued to him a certificate covering the whole of his claim. Your committee considered that the transaction was in good faith by the applicant and that the State Board acted properly and within the intention of the statute. We have therefore placed the Hutchinson claim on Abstract "A" among those who paid the 20 per cent. before the repeal of the law under which they filed.

Although we are satisfied that very much legal uncertainty attaches to the list of applicants on Abstract "A"; that, technically considered, many of them may be deficient, and that while those applicants have been working and waiting for the confirming to the State the lands claimed by them, the 10 years have passed, in which they were required to make and prove reclamation, and pay the remaining 80 per cent of the purchase money, yet we are of the opinion, and hereby recommend, that where actual settlers have proceeded in good faith, their rights to a limited quantity of land should be protected by special enactment of the Legislative Assembly.

In the Abstracts and Exhibits herewith accompanying, there is nothing requiring further special mention in order that they may be fully understood.

On account of the shortness of the time in which to make our report, and the imperfections in the records pertaining to swamp land matters during the first eight years, after the passage of the Act of 1870, our work will be found necessarily imperfect and sub-



ject to some amendment in the future, but as to the principal object of this investigation, viz.: to ascertain the number and amount of applications to purchase swamp lands, where the 20 per centum was paid prior to the repeal of the Act of 1870, and also to ascertain the number and amount of applications where the 20 per centum was paid since the repeal of said Act, we believe this report will be found in the main correct.

Section 4 of the Act of 1870 declares that "No patent shall be issued to any applicant for any swamp lands until the applicant therefor has proved, to the satisfaction of said Commissioner, that the land for which he claims a patent has been drained or otherwise made fit for cultivation." And, further, "That all swamp land which has been successfully cultivated in either grass, the cereals or vegetables for three years shall be considered as fully reclaimed within the meaning of this Act."

This is very plain language; everybody can understand it; argument or analysis cannot make it plainer; and yet the deeds to nearly all the swamp lands sold by the State have been given in defiance of it, if we are to judge by the proofs of reclamation now on file in the office of the State Board.

All of the so-called proofs to which we refer admit that there has been no cultivation as commonly understood. According to Webster's Dictionary, the word cultivation as applied to land, means tillage, *i. e.*, plowing, harrowing, hoeing, etc.; and includes all operations which stir or turn the soil.

This also is the common meaning. Cultivating the soil or land in any crop is plowing and sowing or planting seed, either of grain, vegetables or grass, etc.

The test of reclamation, as given by the statute, is that an agricultural crop shall have been raised three years prior to the proof of reclamation.

What do the so-called proofs, made by affidavits of *disinterested* parties, say?

Not one of them declares that a cultivated crop of any description was produced at any time. On the contrary, the "proofs" show that the claimants cut wild grass and pastured their stock upon the Oregon meadows, called swamp lands; that such use benefited the lands, and that if the waters on or about them were drained away said lands would be injured thereby. Except in the misuse of the word husbandry the witnesses would not be held for perjury, as they probably stated the truth.

What they stated, however, is upon its face a confession that the swamp lands to which deeds have been issued have not been

reclaimed or made fit for cultivation, and that no agricultural crops have been produced upon them.

They swore that the applicants cut wild grass upon them; that some tame grass was found growing among the wild grass, and upon such proofs deeds were demanded.

The only question for the State Board to decide was, "Is wild grass an agricultural crop," or "does the trampling of horses and cattle upon swampy land make it dry and fit for cultivation?"

In what way these questions were answered, in the minds of the State officers composing the State Board, is not known, but it is a fact, of which there is no doubt, that upon such proof deeds have been issued to claimants for many thousand acres of so-called swamp land.

Section 4 of the Act of 1870 declares that "all swamp lands upon which no such proof of reclamation and payment has been made shall revert to the State," and we, therefore, append a list of lands upon which no such proof of reclamation has been made.

Section 3 of the Act of 1870 made it the duty of the Commissioner to issue to the applicant a receipt for the 20 per centum when paid, and upon the payment of the 80 per centum and proof of reclamation, the same officer was instructed to give the applicant a patent in the name of the State.

Upon the records it appears that the State Board, instead of issuing a simple receipt as the law required, substituted a regular certificate of sale, signed by the State officers and bearing the seal of the Board. It is scarcely necessary to say that such a certificate is unauthorized and extra legal, although it stipulates that upon certain conditions, viz.: the payment of 80 per centum and proof of reclamation a patent would follow.

This certificate of sale was formulated in 1872; soon abandoned, but re-adopted by the State Board after the repeal of the Act of 1870, which required a receipt, and was no doubt intended to confer more rights upon an applicant than a simple receipt would.

A receipt was evidence that money had been paid. The certificate upon its face is evidence that the land described therein had been sold, and that part of the money had been paid.

The claim of an applicant holding a receipt might be set aside at any time within ninety days after the publication of notice, upon proof that some other person had filed before him; but granting that the Board had authority to issue a certificate, there was no going behind it except for fraud, and upon it Courts can issue writs of ejectment against all persons going upon the lands described in the said certificate of sale for the purpose of acquiring title under the laws of the United States or this State. See Bellinger's opinion.

It is a curious fact that the business of the State Board was so



loosely conducted at one time that while one man, H. C. Owen, held a certificate of sale, it was proved by a contestant that he filed first upon the land in controversy, held the oldest receipt, and was the first to describe the tracts accurately by amended filings. A simple reference to the facts ought to have been enough to establish the contestant's claim without cost to himself; as it was, however, the extraordinary legal importance of the sealed certificate of Owen's, in the minds of the State Board, brought about a formal suit, costing him several hundred dollars.

It will be seen by consulting page four of the Biennial Report of the Board of Land Commissioners to the present session of the Legislative Assembly, that the Board for eight years has considered that a tender of money, or swamp land warrants, at any time, though refused, had the same force and effect as an actual payment. On the contrary, according to the law of 1870 the 20 per centum was not due and payable until after the lands were selected and approved, and not until after the publication of notice that the lists of selection had been approved and that they had been filed in the office of the County Clerk of the County in which such lands were situated. No lawyer will assert that a tender of money before it is due is a legal tender, or that a tender of money to the State before the law makes it payable binds the State adversely to the provisions of the statute which provides for the payment, and yet the State Board by its own admissions and the sworn statement of its chief clerk, has proceeded in utter disregard of the law which they were sworn to administer in conformity with public interests. As these tenders of payment in swamp land warrants were made and refused while the Act of 1870 was in force, and at a time when by that law no legal tender could be made, viz.: before the listing and approval of the lands, and before legal publication of the fact, the applicants acquired no rights on account of such tender, and the lands they were claiming would have passed over for sale under the Act of 1878, which only fixed the minimum price for them at one dollar per acre.

The Board in their last report claim to have been acting for the best interests of the State in selling its swamp lands, as much and as fast as possible at \$1 per acre, but it is a well known fact that these same lands are resold by the holders of the extra legal certificates and bogus reclamation deeds for from two to six dollars per acre, and there is no valid reason why the State could not sell them as well.

Your Committee, however, have not weighed this matter wholly upon the money basis. There are other and greater interests at stake, viz.: whether large portions of the public domain shall be certified and sold contrary to law, to men who will use them to ad-

vance their own private interests, or whether they shall be jealously guarded and sold under law for the promotion of public interests.

We do not hesitate to avow that, while we intend no private wrong or injustice to any individual applicant under the Act of 1870, we feel it our duty as representatives of the people to vindicate the people's rights, and insist that the laws shall be faithfully administered.

Whatever course may be pursued by the Legislature in trying to lessen the evils arising from past mismanagement and departure from the rule of law, such evils can only be in part modified or prevented. For, notwithstanding the precautions which the Board says it has taken, it has issued deeds and certificates to lands which have not been formally approved to the State by the Secretary of the Interior, and to which the State has no shadow of title. Now, although the Board says that "payments have been received upon the express understanding that the purchase was conditional and subject to the approval of the State of the lands on which the payments were made, and this condition was set forth in the certificate of payment," does anybody believe that the holders of said deeds will not besiege the halls of legislation during the next quarter of a century asking a return of the money paid by them as a consideration for these false conveyances?

Undoubtedly they will, and such a state of things is not only a great hindrance to just and proper legislation, and therefore exceedingly costly, but it will be a source of corruption from which any State might earnestly ask a deliverance.

J. B. DIMICK,  
J. P. WAGER,  
JOHN J. DALY,  
ROBERT McLEAN,  
C. F. HICKS.

SWORN STATEMENT OF E. P. McCORNACK, CLERK OF  
BOARD OF SCHOOL LAND COMMISSIONERS.

Question. At what time did you become Clerk of the Board of Commissioners for the Management and Sale of School, University and State Lands, and how long have you served as such?

Answer. I became Clerk November 13, 1878, and have held the office until January 31, 1887.

Q. Are you well acquainted with the records in that office?

A. I am.

Q. Are there any records in that office showing the date and fact of publication of notice of the completion, approval and filing of lists

and maps, referred to in Section 2 of the Act "providing for the selection and sale of the swamp and overflowed lands belonging to State of Oregon," approved October 26, 1870?

A. It appears that the Board did order (see page 100 of Records) duplicate copies of maps of selections reported by Deputy Commissioner J. N. T. Miller in Jackson County, and that when such were made and approved by the Board to be transmitted to the County Clerk of Jackson County, and when the receipts of them should be acknowledged according to law by said Clerk, then the Clerk of this Board is ordered to advertise the land selected and approved in Jackson County in a newspaper published in that County, but the records do not show whether it was done or not.

Q. Were there any completed and approved lists and any publication of notices prior to the 17th day of January, 1879, covering the lands embraced in certificates of sale 123, 124, 127, 131, 133, 134, 135, 136, 138, 139, 140, 141, 142, 143, 144, 145, 146, issued to H. C. Wilson, W. B. Todhunter, C. C. Beekman, McConnahaughy, J. N. Vance and Owens on lands in Klamath, Lake and Grant Counties?

A. I do not know.

Q. Had the State any agent in the field selecting swamp land prior to the 17th of January, 1879, and if so, state who and give a list of his selections?

A. The State had selecting agents in the field prior to that time, but I am unable to give lists of such agents or description of the lands selected.

Q. Did the State Board employ any other means of selecting swamp lands than by the one mentioned in the last question?

A. I do not know.

Q. During your term of office did the State Board receive the 20 per cent. payment before the approval and publication required in the second Section of the Act of 1870, before referred to?

A. I cannot say, as I don't know what lands, if any, were advertised prior to January, 1879.

Q. Have you any knowledge from any source, or are there any records in any of the State offices going to show that the State Board did, prior to January 17, 1879, receive the 20 per centum on lands as to which there had been no approval and publication and approval, as required by the second Section as aforesaid?

A. From my examination of the papers I am convinced that it did, but I find no formal records of such an order.

Q. Had the Board any ruling upon this question of the time the 20 per centum should be paid, especially as it related to the approval and publication as before referred to?

A. None that I find of record.

Q. Has there been any change in the ruling of the Board upon this point?

A. None appears of record.

Q. Has the Board been following the decision of Governor Thayer in the Owens—Ish case, as to the points decided therein, viz.: the time when the 20 per cent. might be paid and the kind of description which might be termed regular?

A. It has.

Q. From your knowledge of the records before referred to, was it the practice by the Board during the time from 1870 to 1878, to accept money along with applications to purchase swamp lands, and before the listing, approval and publication as provided in Section 2 of the Act of 1870?

A. It appears that the applications and payment were often received on the same day, apparently without reference to the publication of notice.

Q. Has the Board, at any time since you became its clerk, received said payment before publication of notice?

A. Yes, it has received such payment before any publication of notice was made that I know of, but the publication might have been made before I became clerk, and therefore unknown to me.

E. P. McCORNACK.

Subscribed and sworn to before me this 7th day of February, 1887.

J. B. DIMICK,

Chairman of Joint Committee on Swamp Land Investigation.



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**TABULATED STATEMENT OF APPLICATIONS FOR THE PURCHASE OF SWAMP AND OVERFLOWED LANDS.**

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[illegible]



## SENATE

Year	Month	Day	Time	Location	Remarks
1873	June	10	73	Waco County	
1873	July	14	73	Waco County	
1873	Aug	22	73	Waco County	
1873	Sept	2	73	Waco County	
1873	Oct	11	73	Waco County	
1873	Nov	14	73	Waco County	
1873	Dec	15	73	Waco County	
1873	Jan	28	74	Waco County	
1873	Feb	2	74	Waco County	
1873	June	24	74	Waco County	
1873	Aug	11	74	Waco County	
1873	Nov	14	74	Waco County	
1873	Dec	28	74	Waco County	
1873	Jan	28	74	Waco County	
1873	Feb	2	74	Waco County	
1873	June	24	74	Waco County	
1873	Aug	11	74	Waco County	
1873	Nov	14	74	Waco County	
1873	Dec	28	74	Waco County	
1873	Jan	28	74	Waco County	
1873	Feb	2	74	Waco County	
1873	June	24	74	Waco County	
1873	Aug	11	74	Waco County	
1873	Nov	14	74	Waco County	
1873	Dec	28	74	Waco County	
1873	Jan	28	74	Waco County	
1873	Feb	2	74	Waco County	
1873	June	24	74	Waco County	
1873	Aug	11	74	Waco County	
1873	Nov	14	74	Waco County	
1873	Dec	28	74	Waco County	
1873	Jan	28	74	Waco County	
1873	Feb	2	74	Waco County	
1873	June	24	74	Waco County	
1873	Aug	11	74	Waco County	
1873	Nov	14	74	Waco County	
1873	Dec	28	74	Waco County	
1873	Jan	28	74	Waco County	
1873	Feb	2	74	Waco County	
1873	June	24	74	Waco County	
1873	Aug	11	74	Waco County	
1873	Nov	14	74	Waco County	
1873	Dec	28	74	Waco County	
1873	Jan	28	74	Waco County	
1873	Feb	2	74	Waco County	
1873	June	24	74	Waco County	
1873	Aug	11	74	Waco County	
1873	Nov	14	74	Waco County	
1873	Dec	28	74	Waco County	
1873	Jan	28	74	Waco County	
1873	Feb	2	74	Waco County	
1873	June	24	74	Waco County	
1873	Aug	11	74	Waco County	
1873	Nov	14	74	Waco County	
1873	Dec	28	74	Waco County	
1873	Jan	28	74	Waco County	
1873	Feb	2	74	Waco County	
1873	June	24	74	Waco County	
1873	Aug	11	74	Waco County	
1873	Nov	14	74	Waco County	
1873	Dec	28	74	Waco County	
1873	Jan	28	74	Waco County	
1873	Feb	2	74	Waco County	
1873	June	24	74	Waco County	
1873	Aug	11	74	Waco County	
1873	Nov	14	74	Waco County	
1873	Dec	28	74	Waco County	
1873	Jan	28	74	Waco County	
1873	Feb	2	74	Waco County	
1873	June	24	74	Waco County	
1873	Aug	11	74	Waco County	
1873	Nov	14	74	Waco County	
1873	Dec	28	74	Waco County	
1873	Jan	28	74	Waco County	
1873	Feb	2	74	Waco County	





SENATE.

Day	1878	1879	1880	quantity	of	land	Sept	1878	1879	1880	county	and returned
May	17	78	28 00	unacc	22 8	14 E	May	17	1878	3 20	Lake county	
	17	78	1,000 00		30 0			17	1878	128 00	Wasco county	
	21	78	100 00					23	1878	31 00	Lake county	
	21	78	80		12 0			31	1878	10 00	Wasco county	
June	14	78	130 00		40, 41 0	16 E	June	14	1878	28 10	Lake county	
	14	78	130 01		40, 41 0	16 E		14	1878	27 51	Lake county	
	21	78	120		20 0	10 E		21	1878	34 00	Lake county	
July	22	78	613		27 0	20 E	Sept	4	1878	125 00	Lake county	
Aug	30	78	10		7 5	5 W	Aug	30	1878	34 00	Columbia county	
Sept	4	78	310		20 0	17 E	Sept	4	1878	45 00	Lake county	
	4	78	00		20 0	17 E		4	1878	10 00	Lake county	
	14	78	unacc	veyed				14	1878	150 00	Wasco county	
Oct	11	78	100		14 0	10 E	Oct	11	1878	50 00	Wasco county	
	22	78	100		10 0	21 E	Jan	12	1878	04 00	Wasco county	
	22	78	2,010		11 0	20 E		12	1878	404 00	Grant county	
Nov	12	78	120		20 0	17 E	Nov	12	1878	34 00	Lake county	
Sept	4	78					Sept	4	1878	1,000 00	and returned	

††The above application was made to cover the swamp land in the application of John F. Miller, Quincy A. Brooks, also of A. J. Burnett, E. Cranston, B. Goldsmith and Warren Cranston, on file with the board. The tender was made in swamp land warrants and was made on behalf of Miller & Brooks and also the other mentioned applicants; the description in this application is so meager and defective that it is impossible to tell any number of acres; the payment being \$7,500 00 would be the 20 per cent on 37,500 acres, but it is impossible to state from the application whether there was that much or more.

Land described, total number of acres		184,236.69	Total amount of money received	\$34,823 06
*And September 6, 1872.	†And October 22, 1872.	‡And August 30, 1873, \$100.	§And January 18, 1879.	And \$5,048 00

## ABSTRACT B.

List of applications for the purchase of Swamp and Overflowed or Tide Lands, under the Act of October 26, 1870, upon which the 20 per cent was paid after the 17th of January, 1879.

NAME OF APPLICANT.	NO. OF CERTIFICATE.	DATE OF APPLICATION.	NO. OF ACRES.	TOWNSHIP.	RANGE.	DATE 20 PER CT. PAYMENT.	AMOUNT PAID.	WHAT PAID.	REMARKS.
George F. Brown	128	Feb. 5, '73.	320	38 S	41 E	Jan. 5, '82.	\$ 64 00	Cash.	Baker County.
John N. Vance	127 and 129.	Mar. 6, '73.	6,400	40 and 41 S	42 E	{ Jan. 5, '82. Nov. 22, '81.	160 00 1,120 00	Cash. Bonds	
H. C. Owen	Cert's July 26, '80,	to Mar 10 '85	484,059.85	Paym'ts fm July 26, '80, to		Mar. 10, '85.	96,857 68	Bonds	& cash (see Exhibit 'F')
W. B. Todhunter	131		14,516.91			Jan. 17, '82.	2,903 38	Cash.	
W. B. Todhunter	133		8,300			Jan. 17, '82.	1,660 17	Cash.	
H. C. Wilson	142		7,210 64			April 3, '84	1,442 13	Cash.	
A. W. Patterson	146		8,698.69			Mar. 10, '85	739 75	Cash.	
			<u>524,506.09</u>				<u>\$ 104,947 11</u>		

EXHIBIT A.

List of lands embraced in application of W. B. Todhunter of January 13, 1879, not contained in amended application of January 17, 1882.

DESCRIPTION.	SEC-TION.	TOWN-SHIP.	RANGE.	NO. OF ACRES.
All of .....	34	23 South	30 East	640
All of .....	9	do	31 East	640
All of .....	10	do	do	640
All of .....	14	do	do	640
All of .....	15	do	do	640
All of .....	27	do	30 East	640
Part of .....	22	do	31 East	611.43
All of .....	23	do	do	640
All of .....	25	do	do	640
All of .....	26	do	do	640
Part of .....	35	do	do	326.69
All of .....	2	24 South	30 East	640
All of .....	3	do	do	640
All of .....	11	do	do	640
Part of .....	1	do	31 East	601.77
Part of .....	2	do	do	285.58
Part of .....	12	do	do	34.15
All of .....	31	35 South	37 East	640
S. 1/2 of .....	30	do	do	320
SE. 1/4 of SE. 1/4 of .....	34	36 South	36 East	40
N. 1/2 of the NE. 1/4 and NE. 1/4 of the NW. 1/4 of .....	1	do	do	120
N. 1/2 of the NW. 1/4 and N. 1/2 of NE. 1/4 of .....	6	do	37 East	160
Part of W. 1/2 of W. 1/2 of .....	1	37 South	36 East	120
W. 1/2 of W. 1/2 of .....	12	do	do	160
E. 1/2 of .....	14	do	do	320
E. 1/2 of .....	11	do	do	320
E. 1/2 and N. 1/2 of the NW. 1/4 of .....	2	do	do	400
Part of .....	3	do	do	159.68
All of .....	4	do	do	640
W. 1/2 of .....	10	do	do	320
Total .....				13,217.22

## EXHIBIT B.

List of lands embraced in W. B. Todhunter's amended application of January 17, 1882, not embraced in original application of January 13, 1879.

DESCRIPTION.	SECTION.	TOWNSHIP.	RANGE.	NO. OF ACRES.
Part of	17	23 South	31 East	192.92
Part of	21	do	do	419.17
Part of	27	do	do	413.53
All of	34	do	do	640
All of	3	24 South	do	659.31
All of	6	do	do	657.20
All of	7	do	do	636.41
All of	8	do	do	640
All of	10	do	do	640
N. $\frac{1}{2}$ of	13	do	do	320
N. $\frac{1}{2}$ of	14	do	do	320
N. $\frac{1}{2}$ , N. $\frac{1}{2}$ of S. $\frac{1}{2}$ , S. $\frac{1}{2}$ of SW. $\frac{1}{4}$ and SE. $\frac{1}{4}$ of SE. $\frac{1}{4}$ of	15	do	do	600
All of	17	do	do	640
All of	18	do	do	633.80
NE. $\frac{1}{4}$ and N. $\frac{1}{2}$ of NW. $\frac{1}{4}$ of	20	do	do	240
All of	21	do	do	640
W. $\frac{1}{2}$ , E. $\frac{1}{2}$ of E. $\frac{1}{2}$ , SW. $\frac{1}{4}$ of SE. $\frac{1}{4}$ of	22	do	do	520
All of	23	do	do	640
All of	26	do	do	640
N. $\frac{1}{2}$ of the NE. $\frac{1}{4}$ of	27	do	do	80
N. $\frac{1}{2}$ of	31	do	32 East	321.47
S. $\frac{1}{2}$ of	33	do	do	320
S. $\frac{1}{2}$ of	34	do	do	320
N. $\frac{1}{2}$ of S. $\frac{1}{2}$ , S. $\frac{1}{2}$ of NE. $\frac{1}{4}$ and SE. $\frac{1}{2}$ of NW. $\frac{1}{4}$ of	3	26 South	35 East	280
NE. $\frac{1}{4}$ of the SE. $\frac{1}{4}$ of	4	do	do	40
W. $\frac{1}{2}$ of the W. $\frac{1}{2}$ of	5	34 South	do	160
All of	6	do	do	636.26
All of	7	do	do	635.53
NW. $\frac{1}{4}$ of	17	do	do	160
All of	18	do	do	633.34
Part of	33	36 South	36 East	320
Part of	35	do	do	200
Part of	9	37 South	do	240
Part of	15	do	do	80
Total				14,516.91

EXHIBIT C.

List of lands contained in W. B. Todhunter's application of January 13, 1879, and also contained in amended application of January 17, 1882.

DESCRIPTION.	SEC-TION.	TOWN-SHIP.	RANGE.	NO. OF ACRES.
All of-----	25	23 South	20 East	640
All of-----	19	do	31 East	637.22
Lot 1.-----	22	do	do	28.57
All of-----	28	do	do	640
All of-----	29	do	do	640
All of-----	30	do	do	638.78
All of-----	31	do	do	639.58
All of-----	32	do	do	640
All of-----	33	do	do	640
S. 1/2 of SW. 1/4, NW. 1/4 of SW. 1/4 and Lots 1, 2, 3, 4, 5, 6, 7-----	35	do	do	313.31
All of-----	1	24 South	30 East	640.96
All of-----	12	do	do	640
All of-----	13	do	do	640
Lot 1-----	1	do	31 East	38.23
SW. 1/4, S. 1/2 of SE. 1/4 and Lots 1, 2, 3, 4, 5 of-----	2	do	do	354.42
All of-----	4	do	do	677.19
All of-----	5	do	do	674.79
All of-----	9	do	do	640
All of-----	11	do	do	640
S. 1/2, S. 1/2 of N. 1/2, NW. 1/4 of NW. 1/4 and Lots 1, 2, 3 of-----	12	do	do	605.85
W. 1/2 of-----	33	36 South	36 East	320
Part of-----	35	do	do	440
NW. 1/4 of NW. 1/4 of-----	1	37 South	do	40.33
N. 1/2 of NE. 1/4 of-----	3	do	do	80.32
E. 1/2 of E. 1/4 of-----	9	do	do	80
N. 1/2 of NW. 1/4 of-----	15	do	do	80
Total-----				12,089.55

## EXHIB

## H. C. OWEN'S ORIGINAL

NO. OF APPLICA- TION.	DATE OF APPLICATION.	DATE OF TENDER.	AMOUNT OF PAYMENT.	NO. OF ACRES.
1051	Sept. 6, 1878	September 6, 1878	\$ 4,457 41	22,386.87
1052	Sept. 6, 1878	September 6, 1878	7,910 00	39,553.66
1053	Sept. 7, 1878	September 7, 1878	6,740 76	8,140
1055	Sept. 9, 1878	September 9, 1878	1,767 34	8,555.75
1056	Sept. 9, 1878	September 9, 1878	4,000 00	20,000
1057	Sept. 12, 1878			6,340
1058	Sept. 12, 1878			15,000
1059	Sept. 12, 1878			1,152
1073	Oct. 8, 1878			1,382.84
1072	Sept. 30, 1878			All the swamp land in 13 townships
1038	July 30, 1878			10,560
1039 <sup>1</sup> / <sub>2</sub>	July 30, 1878			941.10
1039	July 30, 1878			26,281.88
1043	Sept. 5, 1878	September 5, 1878	1,709 28	8,546.43
1044	Sept. 5, 1878			10,487.59
1045	Sept. 5, 1878			79,157.75
1046	Sept. 5, 1878	September 5, 1878	1,394 83	6,974.08
1110	Jan. 9, 1879			72,280
1111	Jan. 9, 1879			44,160
1112	Jan. 11, 1879			16,640
1077	Oct. 15, 1878			42,560
1081	Nov. 18, 1878			124,610
905	Feb. 21, 1877			All the swamp land in 57 townships
906	Feb. 21, 1877			All the swamp land in 52 townships
907	Feb. 21, 1877			All the swamp land in 37 townships
298	Feb. 16, 1872	H. C. Owen and P. L. Willis		All the swamp land in 8 townships
27	Nov. 23, 1870	H. C. Owen and L. F. Mosher, latter withdrawn		All the swamp land in 3 townships
32	Nov. 28, 1870	H. C. Owen, Mosher and Whit- aker, two latter withdrawn		All the swamp land in 2 townships
50	Dec. 8, 1870			100,000 More or less
51	Dec. 9, 1870			13,200
52	Dec. 9, 1870			306.58 Also all swamp land in 12 townships
55	Dec. 9, 1870	H. C. Owen and A. W. Patter- son		10,000 Supposed to be
56	Dec. 9, 1870	H. C. Owen, A. W. Patterson, J. G. Gray and C. C. Croner, two last withdrawn		92,000 (Four townships) or so much as shall be swamp land



IT D.

APPLICATIONS, SYNOPSIS OF.

REMARKS.			
Tender made in swamp land warrants and rejected			Lake County.
do	do	do	Grant and Baker Counties.
do	do	do	do do
do	do	do	Douglas County.
do	do	do	Lake and Wasco Counties.
No tender made			Union County.
do	do		Lake County.
do	do		do
do	do		do
do	do		Grant and Baker Counties.
do	do		Baker County.
do	do		Grant County.
do	do		Lake County.
Tender made in swamp land warrants and rejected			do
No tender made			Grant and Lake Counties.
do	do		do do
Tender made in swamp land warrants and rejected			Lake County.
No tender made			Baker County.
do	do		do
do	do		do
do	do		Lake County.
do	do		Baker, Grant and Lake Counties
do	do		Wasco, Lake, Grant, Baker, Umatilla and Lane Counties.
do	do		Baker, Grant, Umatilla, Union and Wasco Counties.
do	do		Lane, Douglas, Jackson, Lake, Grant and Baker Counties.
do	do		Lake County.
do	do		Lake County.
do	do		Union County.
do	do		Baker and Grant Counties.
do	do		
do	do		Lane and Lake Counties.
do	do		Lake County.
do	do		
do	do		Lake County.

## EXHIBIT D.

NO. OF APPLICA- TION.	DATE OF APPLICATION.	DATE OF TENDER.	AMOUNT OF PAYMENT.	NO. OF ACRES.
57	Dec. 9, 1870	H. C. Owen, A. W. Patterson, J. G. Gray and C. C. Croner, two last withdrawn		92,000 (Four townships) or so much as shall be swamp land
62	Dec. 10, 1870			20,000 More or less, Owens being successor to Sharples & Patter- son
	Total		\$ 24,877 51	918,216.53*

\* Also all the swamp land contained in 172 townships, said 172 townships containing these applications, but not added in.

—CONTINUED.

REMARKS.	
No tender made.....	Lake County.
do do .....	Wasco County.

3,862 880 acres; therefore all the swamp land contained in said 172 townships are included in

EXHIBIT E.

H. C. Owen's amended applications (synopsis of).

NO. OF APPLICA- TION.	DATE OF APPLICATION.	DATE OF TENDER.	AMOUNT TENDERED.	NO. OF ACRES.	REMARKS.
-----	Dec. 24, 1878	Dec. 24, 1878	\$ 18,046 71	90,233.57	Tender made in swamp land warrants and refused.
-----	Sept. 6, 1883	Sept. 6, 1883	6,500 00	32,837.74	do do do do do
-----	May 22, 1883	May 22, 1883	328 50	1,640	do do do do do
-----	Jan. 29, 1880	-----	-----	68,120	No tender made.
-----	Dec. 20, 1880	-----	-----	91,897.94	do do
-----	June 8, 1884	-----	-----	14,884	do do
-----	May 12, 1881	Jan. 27, 1882	624 00	3,120	Tender made and refused.
-----	July 30, 1878	Sept. 5, 1878	1,591 70	18,046.71	do do do
-----	Nov. 5, 1883	-----	-----	124,140	No tender made.
-----	May 5, 1880	-----	-----	20,216	do do
-----	Aug. 24, 1881	-----	-----	166,860	do do
-----	Aug. 21, 1881	Aug. 31, 1881	1,000 00	6,400	Warrants Nos. 853 and 850 tendered, each calling for \$500 00.
-----	Dec. 30, 1880	-----	-----	3,502.36	No tender made.
-----	July 27, 1881	-----	-----	368,165	do do
		Total-----	\$ 28,090 41	1,009,102.92	

EXHIBIT F.

Certificates of Sales issued to H. C. Owens for Swamp and Overflowed Lands.

NO. OF CER- TIFICATE.	DATE OF CERTIFICATE.	NO. OF ACRES.	AMT. OF 20 PER CENT. PAYMENT	DATE OF PAYMENT.	NO. OF TOWNSHIPS.	NO. OF RANGES.
123	July 26, 1880	55,185.96	\$ 11,037 07	July 26, 1880	25, 26, 27, 28, 29, 8	28, 29, 30, 31, 32, 27, 14, 15, 16, 17, E.
124	Feb. 23, 1881	66,606.32	13,966 89	Feb. 23, 1881	21, 25, 28, 29, 30, 31, 33, 34, 35, 36, 40 41, 8	22, 26, 33, 11, 12, 9, 17, 30, 31, 32, 6, 71 1/2, 14 1/2, 23, 24, 25, E
134	Sept. 12, 1882	2,959.80	591 96	Sept. 12, 1882	35, 8	32, E.
136	Nov. 28, 1882	3,200	640 00	Nov. 28, 1882	39, 8	35, E.
138	Oct. 9, 1883	10,197.40	2,039 48	Oct. 9, 1883	23, 24, 25, 27, 8	26, 27, 28, 29, E.
139	Nov. 14, 1883	126,893.03	25,378 60	Nov. 14, 1883	16, 22, 23, 24, 25, 26, 27, 8	30, 31, 32, 32 1/2, 33, E.
140	Nov. 14, 1883	6,716.15	1,343 23	Nov. 14, 1883	32, 33, 34, 8	34, 35, 30, 32, 31, E.
144	April 3, 1884	78,901.61	15,780 32	April 3, 1884	33, 35, 36, 37, 38, 39, 40, 8	26, 24, 25, E.
145	March 10, 1885	133,400.18	26,680 03	March 10, 1885	27, 28, 31, 32, 33, 38, 39, 40, 41, 8	14, 15, 16, 13, 17, 21, 19, 20, 22, E.
	Jan. 20, 1882	720	144 00	Jan. 20, 1882	26, 8.	28, E.
		484,779.85	\$ 97,001 68			

## EXHIBIT G.

List of certificates of sales issued for Swamp and Overflowed Lands since March 1, A. D. 1881 (other than H. C. Owen's).

NO. OF CERT.	TO WHOM ISSUED.	DATE OF CERTIFIC'E.	NO. OF ACRES.	A M'T OF 20 PER C'T. PMT.	DATE OF PAYMENT.	TOWNSHIP.	RANGE.	REMARKS.
125	Theodore Wygant	Mar. 1, '81	110.15	\$ 22 00	March 6, '73	8 N	9 E	1st appl. by F Robbins
126	David McCully	April 1, '81	200.00	40 00	Sept. 21, '78	2 S	45 E	
127	John N. Vance	Nov. 22, '81	5,600.00	1,120 00	Nov. 22, '81	40, 41 S	42 E	P'd warrants 992 & 1537
128	G. F. Brown	Jan. 5, '82	320.00	64 00	Jan. 5, '82	38 S	41 E	
129	John N. Vance	Jan. 5, '82	800.00	160 00	Jan. 5, '82	41 S	42 E	
131	W. B. Todhunter	Jan. 17, '82	26,558.54	5,048 00	Jan. 16, '79	23, 24, 26, 34, 36, 37 S	30, 31, 32, 35, 36 E	
132	G. R. Megginson	Feb. 7, '82	200.00	263 71	Jan. 17, '82	11 S	11 W	1st appl. by Jno. McGee
133	W. B. Todhunter	Jan. 17, '82	8,300.00	40 00	Oct. 21, '72	34, 33, 36 S	30, 35, 34, 33 E	
135	H. J. Glenn	Oct. 24, '82	22,055.67	1,660 17	Jan. 17, '82	27, 28, 29, 30, 31 S	31, 32, 32½, 33 E	
137	B. F. Hutchinson	Apr. 23, '83	562.31	4,411 13	March 8, '77	12 S	11 W	
141	Ayres & McConoughey	Apr. 3, '84	4,320.42	100 00	August 30, '73	37, 33, 39, 40 S	24, 25 E	
142	H. C. Wilson	Apr. 3, '84	7,210.64	12 46	April 23, '83	35, 36, 37 S	24, 25 E	
143	H. F. Wilson	Apr. 3, '84	1,082.00	864 08	July 29, '78	36, 37 S	24, 25 E	
146	A. W. Patterson	Mar. 10, '85	3,698.69	1,442 13	April 3, '84	36, 37 S	24, 25 E	
				216 52	Jan. 25, '77	28 S	14, 15 E	
				739 75	March 10, '85			
			81,018.42	\$ 16,203 95				

No.	Name	Age	Sex	Color	Height	Weight	Build	Complexion	Education	Occupation	Marital Status	Religion	Political Party	Other
25	A. Brooks	1872	M	W	5' 10"	160	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
26	E. F. Russell	1872	M	W	5' 10"	157	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
27	C. P. Ferry	1872	M	W	5' 10"	152	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
28	George Woodard	1872	M	W	5' 10"	144	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
29	P. A. Marquam	1872	M	W	5' 10"	263	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
30	P. W. Gillette	1872	M	W	5' 10"	149	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
31	J. R. Cardwell	1872	M	W	5' 10"	150	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
32	Q. A. Brooks	1872	M	W	5' 10"	177	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
33	Q. A. Brooks	1872	M	W	5' 10"	151	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
34	Q. A. Brooks	1872	M	W	5' 10"	160	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
35	Q. A. Brooks	1872	M	W	5' 10"	160	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
36	Q. A. Brooks	1872	M	W	5' 10"	160	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
37	Q. A. Brooks	1872	M	W	5' 10"	160	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
38	Q. A. Brooks	1872	M	W	5' 10"	160	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
39	Q. A. Brooks	1872	M	W	5' 10"	160	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
40	Q. A. Brooks	1872	M	W	5' 10"	160	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
41	Moses Seiler	1872	M	W	5' 10"	401	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
42	Moses Seiler	1872	M	W	5' 10"	310	Medium	Fair	High School	Farmer	Married	Methodist	Republican	
43	A. E. Walt	1872	M	W	5' 10"	125	Medium	Fair	High School	Farmer	Married	Methodist	Republican	

SENATE.

70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88
4, 1872	4, 1872	4, 1872	4, 1872	4, 1872	4, 1872	4, 1872	4, 1872	4, 1872	4, 1872	4, 1872	4, 1872	4, 1872	4, 1872	4, 1872	4, 1872	4, 1872	4, 1872	4, 1872
2,150.43	2,346.41	4,146.40	190	4,040	19.20	240	187	252.20	118.70	70.75	100	67.57	1,000	120	200	40	75.15	12,005.78
430.07	409.08	829.29	16.00	808.00	8.44	45.00	32.00	50.44	28.74	6.16	32.00	11.61	216.00	34.00	40.00	8.00	16.28	2,721.15
25, 29, 30	29, 30	29, 30	3, 4, 18	40, 41, 18	21, 18	15, 18	15, 18	3, 4, 18	15, 18	20, 18	15, 18	21, 18	41, 18	20, 18	17, 18	17, 18	14, 18	20, 18
9 E	9 E	9 E	1 W	13, 14 E	13, 14 W	16 E	16 E	1 W	16 E	9 E	16 E	11 W	13, 14 E	13, 14 W	6 W	6 W	16 E	19 E



ATE.

LIST OF LANDS UNRECLAIMED

To which Deeds have been given in Tracts of more than 320 Acres to one person.

NAME OF PURCHASER.	NUMBER OF ACRES	DATE OF DEED.	REMARKS.
James M. Allen -----	9,459.24	September 28, 1886-----	Assignee of H. C. Owen.
do -----	7,035.00	do 28, 1886-----	do do
R. A. West-----	1,960.00	do 28, 1886-----	-----
John F. Miller-----	1,983.00	June 26, 1885-----	-----
French & Glenn-----	22,055.67	July 20, 1885-----	Assignee A. H. Robie & E. Otis
L. B. Applegate-----	1,357.76	September 14, 1883-----	do O. C. Applegate.
Q. A. Brooks-----	4,042.00	June 15, 1885-----	-----
W. J. Nichols-----	609.00	February 1, 1886-----	Assignee of Q. A. Brooks.
J. & L. Gerber-----	760.00	August 25, 1886-----	-----
W. P. Miller-----	1,159.00	January 12, 1883-----	Assignee of Q. A. Brooks.
A. M. Roseborough-----	19,155.42	do 13, 1883-----	-----
Amos N. King-----	1,922.68	November 1, 1882-----	-----
John F. Miller-----	2,194.41	August 16, 1882-----	-----
do -----	254.39	February 10, 1882-----	-----
do -----	301.31	July 5, 1883-----	-----
John Glenn-----	508.52	August 30, 1882-----	-----
J. L. Hanks-----	883.81	do 30, 1882-----	-----
	74,641.21		

RECLAMATION PROOF OF A. N. KING.

That for five years last past Amos N. King has caused to be cut upon the same (King's land) each year large amounts of hay; and in the year 1877 he caused red-top grass seed to be sown thereon; and in the summer of 1880 he caused to be cut thereon about 100 tons of hay; and in the year 1881 he cut thereon about 100 tons of hay; and in the year 1882 he has cut thereon about 90 tons of hay; that said hay was cut with mowing machines and the hay was hauled away in wagons, and the ground was firm enough to allow horses and wagons to go upon it and cut and bring away said hay.

[Signed]

JOHN SIMMONS,  
JEROME GAYLORD.

Subscribed and sworn to before me this 18th day of October, A. D. 1882.

R. B. HATTAN,  
County Clerk.

Mr. Shupe, Chairman of the Committee on Ways and Means, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee on Ways and Means, to whom was referred H. C. R. No. 24, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

JOHN H. SHUPE,  
Chairman.

Mr. Shupe moved that the Senate concur in H. C. R. No. 24. The ayes and nays were demanded by Messrs. Hare and Gray, so the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Coleman, Cauthorn, Chamberlin, Dawson, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—21.

Nays—Messrs. Allen, Barin, Cartwright, Dimick, Irvine and Wager—6.

Absent—Messrs. Chandler, Rinehart and Siglin—3.

So the Senate concurred in H. C. R. No. 24.

Mr. Hare gave notice that he would move to reconsider the vote whereby H. C. R. No. 24 was concurred in.

On motion of Mr. Gray, it was moved that when the Senate adjourn it do adjourn to meet at 7:30 o'clock this evening.

Mr. Lee introduced Senate Concurrent Resolution No. 12 as follows:

## SENATE CONCURRENT RESOLUTION NO. 12.

*Resolved by the Senate, the House concurring:*

That the two Houses meet in Joint Convention in the Hall of the House of Representatives on Thursday, February 17th, at 10 o'clock A. M., for the purpose of electing one State Librarian, three Pilot Commissioners and one Register of the State Land Office at La Grande.

On motion of Mr. Lee, the Resolution was adopted.

Mr. Simon introduced

## SENATE RESOLUTION NO. 23,

As follows:

*Resolved*, That the President be directed to appoint a Committee of two Senators, whose duty it shall be, in connection with the Chief Clerk and Assistant Clerk, to examine and correct any errors that may appear on the Journals of the Senate, and the said Committee shall then approve the same, and that the said Clerks be allowed such time, not exceeding twelve days, as said Committee may deem necessary to complete the records and file all papers with the Secretary of State.

On motion of Mr. Simon, Senate Resolution No. 23 was adopted.

Mr. Looney, Chairman of the Joint Committee appointed to visit the Penitentiary, submitted the following

## REPORT.

SENATE CHAMBER, }  
SALEM, February 14, 1887. }

*To the Honorable Legislative Assembly of the State of Oregon, in Salem assembled:*

We, your Committee, to whom was referred House Concurrent Resolution No. 17, to examine and report upon the condition and management of the Penitentiary, respectfully submit the following:

We have examined all books and accounts of the aforesaid institution for the whole term included in the Superintendent's biennial report, together with all vouchers drawn, and all items in the invoice bills for which said vouchers were issued.

We find the items purchased in all departments to have been uniform and reasonable both as to prices and quantities.

We find the Superintendent's report substantially correct as published.

We found the books and accounts neatly and correctly kept.

While the food provided is ample and wholesome, it is not extravagant, and we find the general management of the prison to be conducted upon an economical basis and a credit to the administration.

We would respectfully submit the following recommendation:

First—We find a lack of protection against fire, and would recommend that the State provide hydrants and hose, the cost not to exceed \$1,500.

Second—We would recommend that a wing be built on the south end of the prison, the upper story to be fitted up for a hospital ward, and the lower part for an eating room.

Third—We would further recommend that the present system of feeding prisoners in their cells be abolished and meals be taken in an eating room.

We have examined into the charges preferred against Superintendent Collins by one E. C. Cross, and published in the Daily Statesman of the 4th instant, and after a careful examination find no evidence to sustain said charges.

All of which is respectfully submitted by your Joint Committee.

O. SUMMERS,

I. H. HOLLAND,

H. McKENZIE,

Committee on part of the House.

J. B. LOONEY,

J. H. HAMILTON,

Committee on the part of the Senate.

On motion of Mr. Looney, the report was ordered printed and referred to the Committee on Ways and Means.

Mr. Cartwright submitted Senate Memorial No. 9 as follows:

SENATE JOINT MEMORIAL NO. 9, IN RELATION TO A  
CERTAIN WAGON ROAD.

Introduced by Mr. Cartwright, Chairman of the Committee on Public Lands. Ordered printed February 15, 1887.

*To the Honorable Senate and House of Representatives of the United States of America in Congress assembled:*

We, your memorialists, the Legislative Assembly of the State of Oregon, in Legislature assembled, would most respectfully represent and show that by an Act of Congress, entitled "An Act granting lands to the State of Oregon to aid in the construction of a military road from Albany to the eastern boundary of said State," approved July 5, 1866, and an Act amendatory thereto, there was over eight hundred thousand acres of land granted to the State of Oregon for the purpose of building said road: That by an Act of the Legislative Assembly of the State of Oregon, approved October 24, 1886, in consideration of the Willamette Valley and Cascade Mountain Wagon Road Company agreeing to build said road, all rights belonging thereunder, were transferred to said company; and,

WHEREAS, Many complaints were made that said company had not built said road, or in any manner complied with the conditions of said grant; and,

WHEREAS, At the general session of the Legislative Assembly of the State of Oregon for 1885, a Commission was appointed by said body, ordering said Commission to report to the next session of said Assembly, its findings and evidence thereon; and,

WHEREAS, Said Commissioners did at the special session of said Legislative Assembly in 1885, make their said report, and recommended the passage of Senate Joint Memorial No. 6, and said Memorial was passed by said Assembly, but after the passage thereof some person or persons, desiring to defeat the wishes of the people of the State of Oregon, and the will and intention of said Assembly, did feloniously and surreptitiously mutilate and strike out from said Memorial, said wagon road. Wherefore, your memorialists pray that suits be brought in the name of the United States to cancel, annul; any and all patents or grants of lands for the building of said road, as said grant is a fraud upon the United States, the State of Oregon, and the people thereof. And your memorialists would further ask that the cancellation of said patents or grants be without any reservations or exceptions whatever

And your memorialists will ever pray.

On motion of Mr. Hare, Senate Joint Memorial No. 9 was ordered printed and made a special order for to-morrow at 10 o'clock.

On motion of Mr. Miller, the Senate adjourned.

#### EVENING SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Miller and Williams.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in Senate amendments to H. B. No. 186.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B. No. 186.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B. No. 13.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 15, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted H. J. R. No. 12, providing that all the State printing shall be done by State Printer.

And the same is herewith returned for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Simon moved that the Senate concur in H. J. R. No. 12.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Siglin, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Bird, Lee, Miller, Rinehart, Shupe and Wager—6.

So H. J. R. No. 12 was concurred in.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bills Nos. 169, 174 and 175, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 176, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

The President announced that he was about to sign H. B's Nos. 13 and 186 and soon afterwards stated that he had signed them.

S. B. No. 178 coming on for consideration under special order, the bill was read the third time and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Siglin, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Bird, Chandler, Lee, Miller, Rinehart, Shupe and Steel—8.

So the bill passed, and the title of the bill stands as the title of the Act.

S. B. No. 179, coming on for consideration under special order, the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Siglin, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Chandler, Lee, Miller, Rinehart, Shupe and Wager—6.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Siglin asked leave of absence for the balance of the evening, which request was granted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 15, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that



the House has concurred in the Senate amendments to H. B. No. 145.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 15, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 180.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 81, being a bill for an Act to declare forfeited to the State of Oregon certain swamp and overflowed lands therein.

And the same is herewith returned for enrollment.

A. C. JENNINGS,  
Chief Clerk.

Mr. Williams, Chairman of the Committee on Enrollment, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bill No. 26, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that

the House has passed H. B. No. 59, being a bill for an Act to amend amendments of Sections 37 and 57, Title IV., School Laws of Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Weatherford moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Simon, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Chandler, Lee, Miller, Rinehart, Siglin, Shupe, Stanley and Wager—8.

So the rules were suspended and the bill was read a first time by title and passed to a second reading without a question.

Mr. Cauthorn moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Cartwright, Chandler, Cauthorn, Lee, Miller, Rinehart, Siglin, Shupe and Wager—9.

So the rules were suspended and the bill was read a second time by title.

Mr. Cauthorn moved that the rules be further suspended and the bill be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Hare, Lee, Looney, Miller, Rinehart, Siglin, Shupe and Wager—8.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?"

On motion of Mr. Weatherford, by unanimous consent, the bill **was** amended by striking out all of Section 3, and the Clerk was instructed to strike out Section 3 of H. B. No. 59, which was so done.

Now the vote coming on the question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Looney, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Chandler, Hare, Lee, Miller, Rinehart, Siglin, Shupe and Stanley—8.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 60, being a bill for an Act to amend Section 54, entitled an Act to establish a uniform course of public instruction in common schools.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Cauthorn moved that the rules be suspended and the bill accompanying the foregoing message be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Cartwright, Chandler, Lee, Miller, Rinehart, Siglin, Shupe and Stanley—8.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Chamberlin moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Chandler, Lee, Miller, Rinehart, Siglin, Shupe and Weatherford—7.

So the rules were suspended and the bill was read a second time by title.

Mr. Coleman moved that the rules be still further suspended and the bill be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Lee, Miller, Rinehart, Siglin and Shupe—6.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?"

On motion of Mr. Veatch, it was, by unanimous vote, ordered that the emergency clause be stricken out of H. B. No. 60.

Now the vote being taken on the question, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts—22.

Nays—None.

Absent—Messrs. Barin, Chandler, Lee, Miller, Rinehart, Siglin Shupe and Mr. President—8.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 72, being a bill for an Act to amend amendments of Section 25, Chapter IV., Miscellaneous Laws of Oregon, pertaining to Common Schools, as amended.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Cauthorn moved that the rules be suspended and H. B. No. 72 be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Looney, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts—21.

Nays—None.

Absent—Messrs. Barin, Chandler, Hare, Lee, Miller, Rinehart, Siglin, Shupe, Mr. President—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Coleman moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Looney, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts—20.

Nays—None.

Absent—Messrs. Barin, Chandler, Cauthorn, Hare, Lee, Miller, Rinehart, Siglin, Shupe and Mr. President—10.

So the rules were suspended and the bill was read a second time by title.

On motion of Mr. Hare, the bill was referred to the Committee on Education, with leave to report at any time.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 12, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 94, being a bill for an Act to amend Section 28, Title III., Chapter IV., Miscellaneous Laws of Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 94, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Hare moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Looney, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts—20.

Nays—None.

Absent—Messrs. Barin, Chandler, Hamilton, Lee, Miller, Rinehart, Siglin, Shupe, Steel and Mr. President—10.

So the rules were suspended and the bill was read a second time by title.

Mr. Veatch moved that the rules be suspended and the bill read the third time and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Dawson, Dimick, Gray, Hare, Hamilton, Irvine, Looney, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts—20.

Nays—None.

Absent—Messrs. Chandler, Chamberlin, Emmett, Lee, Miller, Rinehart, Siglin, Shupe, Steel, Mr. President—10.

So the rules were suspended and the bill was read the third time and the question being, "Shall the bill pass?"

Mr. Hare moved a call of the Senate, and all the Senators were present except Messrs. Chamberlin, Siglin and Steel.

On motion of Mr. Hare further call of the Senate was dispensed with.

The vote now recurring on the question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Siglin and Steel—2.

So the bill was declared to have passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that

the House has passed H. B. No. 96, being a bill for an Act to amend Section 62, Title VI., Chapter IV., Miscellaneous Laws of Oregon, pertaining to Common Schools.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 96, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Coleman moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Dawson, Lee, Miller, Rinehart, Siglin, Shupe and Steel—8.

Mr. Veatch moved that the rules be suspended and the bill be read the third time and placed upon its final passage now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Chandler, Cauthorn, Hare, Miller, Rinehart, Siglin, Shupe and Steel—8.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Cartwright, Chandler, Miller, Rinehart, Siglin, Shupe and Steel—7.

So the bill was declared as having passed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. )

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 147, being a bill for an Act to amend an Act relating to the compensation of School Clerks, approved November 21, 1885.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 147, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Coleman moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Hare, Miller, Rinehart, Siglin, Shupe—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager referred to the Committee on Education with leave to report at any time.

Mr. Watts obtained unanimous consent to introduce the following amendments to S. B. No. 167, printed bill :

## FIRST AMENDMENT.

In Section 4, line 8, second word, strike out the word "under" and insert the words "contrary to the provisions."

## SECOND AMENDMENT.

In same line (8) strike out all of line 8 after the word "case" to and include the word "or."

## THIRD AMENDMENT.

In Section 6, line 11, printed bill, add the word "or" after the word city.



## FOURTH AMENDMENT.

Amend title by adding after the fourth word the word "license and," so as the title would read "For an Act to License and Regulate."

On motion of Mr. Watts, the foregoing amendments to S. B. No. 167 was adopted and agreed to, and the bill as amended ordered engrossed.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 167, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

Mr. Watts moved that the rules be suspended and S. B. No. 167 be read a third time now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Bird, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hamilton, Irvine, Lee, Looney, Veatch, Williams, Wager, Watts, Mr. President—16.

Nays—Messrs. Barin, Coleman, Gray and Stanley—4.

Absent—Messrs. Cartwright, Chandler, Hare, Miller, Rinehart, Siglin, Shupe, Simon, Steel and Weatherford—10.

So the motion to suspend was lost.

By request, Mr. Miller was excused from further attendance during the evening.

Mr. Simon introduced Senate Joint Resolution No, 16, as follows:

## SENATE JOINT RESOLUTION NO. 16.

WHEREAS, The Legislative Assembly of the State of Oregon, at the session of 1885, by a vote as shown by the Journals thereof; did agree to and pass House Joint Resolution No. 1; and,

WHEREAS, The said Legislative Assembly did and has at the present, the regular session of 1887, by a vote as shown by the Journal thereof, agreed to and concurred in said House Joint Resolution No. 1, of the session of 1885; therefore, be it

*Resolved by the Senate, the House concurring:*

That it be and is hereby made the duty of the Governor of the State of Oregon, and that he be and is hereby commanded and directed and impowered by proclamation thereof duly made to cause the same to be published as required by the Constitution of the State and submitted to the electors at a special election to be held on the first Tuesday after the first Monday in November, A. D. 1887.

House Joint Resolution No. 1, of the session of 1885, as concurred in by the Legislative Assembly of the session of 1887, is as follows:

#### HOUSE JOINT RESOLUTION NO. 1.

That the following amendment to the Constitution of the State of Oregon be and hereby is proposed.

That Section 14 of Article II., of the Constitution of the State of Oregon be and the same is hereby abrogated, and in lieu thereof, Section 14 of Article II. of the Constitution of the State of Oregon shall be as follows:

SECTION 14. General elections shall be held on the Tuesday next after the first Monday in November, biennially.

Passed the House November 19, 1885.

W. P. KEADY,  
Speaker of the House.

Concurred in by the Senate November 24, 1885.

WM. WALDO,  
President of the Senate.

Adopted by the House January 26, 1887.

A. C. JENNINGS,  
Chief Clerk.

Concurred in by the Senate February 10, 1887.

E. G. HURSH,  
Chief Clerk.

Mr. Simon moved that Senate Joint Resolution No. 16 be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Simon, Stanley, Veatch, Williams, Wager, Watts, Mr. President—20.

Nays—None.

Absent—Messrs. Cartwright, Chandler, Cauthorn, Lee, Miller, Rinehart, Siglin, Shupe, Steel and Weatherford—10.

Senate Joint Resolution No. 16 was declared adopted.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

## REPORT.

*Mr. President*—We, your Committee on Judiciary, to whom was referred the matter of a proposed monument in memory of the late General Joseph Lane, respectfully report that we have had the said matter under consideration and are of the opinion that a plaster cast or a bronze cast, to be placed in the rotunda of the Capitol, will be much preferable to a marble shaft erected upon the Capitol grounds.

Therefore your Committee recommend to the Senate the adoption of the following Joint Resolution :

## SENATE JOINT RESOLUTION NO. 17,

*Resolved by the Senate and House of Representatives of the State of Oregon:*

That the Governor and Secretary of State be and they are hereby appointed and constituted a Commission to receive estimates of cost, and designs and plans for a cast, either in plaster or bronze, life size, of the late General Joseph Lane, said cast to be placed in the rotunda of the Capitol, and that they report the design, together with the estimate of cost thereon, to the Legislative Assembly at its next session; and that in the performance of their duties they are hereby authorized and empowered to expend the sum of five hundred (500) dollars out of any money in the Treasury not otherwise appropriated, or so much thereof as may be necessary; *provided*, that if said Commissioners shall be of the opinion that a marble shaft or monument to be erected on the Capitol grounds would be preferable they shall receive designs and estimates of cost thereof, and report the same to the Legislative Assembly.

JOSEPH SIMON,  
Chairman.

Mr. Simon moved that Senate Joint Resolution No. 17 be adopted. On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Coleman, Cartwright, Chandler, Lee, Miller, Rinehart, Siglin, Shupe and Weatherford—9.

So. S. J. R. No. 17 was declared adopted.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 11, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 136, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate without recommendation.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Dawson, S. B. 136 was ordered engrossed for third reading to-morrow.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 11, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred H. B. No. 210, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate without recommendation.

JOSEPH SIMON,  
Chairman.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 11, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 80, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following

## AMENDMENT.

Amend Section 1 by substituting commas instead of semicolons, whenever they occur in said Section.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Coleman, the amendment reported in the foregoing report was adopted, and the Clerk was instructed to make the change in pursuance of the said amendment, which was so done.

Mr. Coleman moved that the rules be suspended and S. B. No. 80 be read the third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Simon, Stanley, Veatch, Williams, Watts, Mr. President—21.

Nays—None.

Absent—Messrs. Chandler, Lee, Miller, Rinehart, Siglin, Shupe, Steel, Weatherford and Wager—9.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Looney, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—24.

Nays—Messrs. Hare and Lee—2.

Absent—Messrs. Miller, Siglin, Weatherford—3.

Excused—Mr. Chandler—1.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Having obtained unanimous consent, Mr. Simon introduced Senate Bill No. 182, which was read a first time and passed to a second reading without a question.

Mr. Simon moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Miller, Siglin and Weatherford—3.

So the rules were suspended and the bill was read a second time by title.

Mr. Simon moved that the rules be further suspended and the bill be read a third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—23.

Nays—None.

Absent—Messrs. Cartwright, Cauthorn, Irvine, Miller, Rinehart, Siglin and Weatherford—7.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Rinehart, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—24.

Nays—Messrs. Coleman and Veatch—2.

Absent—Messrs. Hare, Miller, Siglin and Weatherford—4.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

By unanimous consent, Mr. Wager introduced Senate Bill No. 183, which was read a first time and passed to a second reading without a question.

Mr. Wager moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Chandler, Cauthorn, Lee, Miller, Rinehart, Siglin, Shupe and Weatherford—8.

So the rules were suspended and the bill was read a second time by title.

Mr. Wager moved that the rules be further suspended and the bill be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Gray, Hare, Hamilton, Irvine, Looney, Simon, Steel, Williams, Wager, Watts, Mr. President—20.

Nays—Mr. Veatch—1.

Absent—Messrs. Cauthorn, Emmett, Lee, Miller, Rinehart, Siglin, Shupe, Stanley and Weatherford—9.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Cartwright, Dimick, Gray, Hamilton, Irvine, Looney, Simon, Steel, Williams—11.

Nays—Messrs. Coleman, Dawson, Emmett, Hare, Stanley, Veatch, Weatherford, Wager, Watts, Mr. President—10.

Absent—Messrs. Allen, Chandler, Cauthorn, Chamberlin, Lee, Miller, Rinehart, Siglin and Shupe—9.

So the bill was declared lost.

Mr. Wager gave notice that he would move for a reconsideration of the vote whereby S. B. No. 183 was lost.

On motion of Mr. Coleman, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

WEDNESDAY, FEBRUARY 16, 1887.

#### MORNING SESSION.

SENATE CHAMBER,  
SALEM, February 16, 1887. }

The Senate met at the hour appointed for meeting and was called to order by the President.

The roll was called and all the Senators were present except Mr. Steel.

Prayer was offered by Rev. J. W. Harris of Salem.

Courtesies of the Senate were extended to Father Gray of Astoria.

The President appointed Messrs. Shupe and Weatherford a committee under S. R. No. 23 to examine and approve the Journal of the Senate.

On motion of Mr. Simon, the reading of yesterday's proceedings was dispensed with.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 15, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that

the House has amended and as amended has passed S. B. No. 137.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Amendments to S. B. No. 137 as submitted by the House:

#### FIRST AMENDMENT.

Amend by striking out of Section 8 the following words after the "Banks," viz: to make laws for the encouragement of manufactures and for this purpose may exempt them from municipal taxation, said words being found in lines 29 and 30 of House printed bill.

#### SECOND AMENDMENT.

By striking out of Section 8 the following words after the word charter: "And bonds issued for this purpose shall be exempt from all taxation," said words being found in lines 32 and 33 of the House printed bill.

On motion of Mr. Miller, the foregoing amendments were concurred in.

The consideration of S. J. M. No. 9 coming on for consideration under special order, Mr. Cartwright moved the adoption of S. J. M. No. 9.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Cauthorn and Steel—2.

So S. J. M. No. 9 was declared adopted.

At the request of Mr. Shupe, unanimous consent was given S. B. No. 154 and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cauthorn, Hare, Steel and Wager—4.



So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Watts moved that the rules be suspended and S. B. No. 167 be placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Watts—17.

Nays—Messrs. Barin, Coleman, Chandler, Rinehart, Simon, Stanley, Veatch, Williams and Mr. President—9.

Absent—Messrs. Cartwright, Steel, Weatherford and Wager—4..

So the vote was declared lost.

Mr. Chamberlin, Chairman of the Committee on Counties, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred House Bill No. 132, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following amendments:

#### FIRST AMENDMENT.

In Section 1, line 6, after the words "Benton County," strike out the word "six" and insert the word "seven."

#### SECOND AMENDMENT.

In Section 1, line 7, after the words "Clackamas County," strike out the word "eight" and insert the word "ten."

#### THIRD AMENDMENT.

In Section 1, line 12, after the words "Crook County," strike out the word "four" and insert the word "six."

#### FOURTH AMENDMENT.

In Section 1, line 23, after the words "two thousand," strike out the words "five hundred."

## FIFTH AMENDMENT.

In Section 1, line 16, after the words "Jackson County," insert the words "eight hundred" in place of "one thousand."

M. L. CHAMBERLIN,  
Chairman.

On motion of Mr. Miller, the amendments were adopted.

Mr. Chamberlin, Chairman of the Committee on Counties, made the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 14, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred H. B. No. 56, beg leave to report that they have had the same under consideration and would respectfully report it back to the Senate with the recommendation that it do pass with the following amendments:

## FIRST AMENDMENT.

Amend Section 1, line 8, by inserting after the word "Clackamas" the word "Clatsop."

## SECOND AMENDMENT.

Amend Section 1, line 13, by inserting after the word "Clackamas" the word "Clatsop."

M. L. CHAMBERLIN,  
Chairman.

On motion of Mr. Gray, the amendments were adopted.

Mr. Chamberlin, Chairman of the Committee on Counties, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 16, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred H. B. No. 104, beg leave to make a minority report, that they have had the same under consideration, and would respectfully re-

port it back to the Senate with the recommendation that it do pass.

M. L. CHAMBERLIN,  
Chairman.

Upon H. B. No. 104 Mr. Gray submitted the following

#### MAJORITY REPORT.

SENATE CHAMBER,  
SALEM, February 16, 1887. }

*Mr. President*—The majority of your Committee on Counties, to whom was referred H. B. No. 104, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with recommendation that it do not pass.

J. H. D. Gray,  
J. H. HAMILTON,  
Committee.

On motion of Mr. Hare, the reports with the bill were laid on the table.

Mr. Chamberlin, Chairman of the Committee on Counties, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred H. B. No. 45, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following

#### AMENDMENT.

In Section 2, line 11, after the words "three hundred dollars" insert the words "Crook County three hundred dollars."

M. L. CHAMBERLIN,  
Chairman.

On motion of Mr. Hare, the amendment was adopted.

Mr. Chamberlin, Chairman of the Committee on Counties, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred

H. B. No. 69, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do not pass.

M. L. CHAMBERLIN,  
Chairman.

On motion of Mr. Cartwright, H. B. No. 69 was indefinitely postponed.

By unanimous consent, Mr. Chandler introduced S. B. No. 184, being a bill for an Act changing times and places for holding Court in the Sixth Judicial District.

Mr. Chandler moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Allen, Barin, Lee and Williams—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Chandler moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Allen, Barin and Williams—3.

So the rules were suspended and the bill was read a second time by title.

Mr. Chandler moved that the rules be further suspended and the bill be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Allen, Emmett and Williams—3.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Hare—1.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Gray introduced Senate Joint Resolution No. 18, as follows:

#### SENATE JOINT RESOLUTION NO. 18.

WHEREAS, The Congress of the United States did in the year 1870 grant to the Oregon Central Railroad Company certain public lands, situated in Clatsop, Columbia, Tillamook, Washington and Yamhill Counties, in the State of Oregon, for the purpose of aiding in the construction of the Oregon Central Railroad from Portland to Astoria and McMinnville in said State; and,

WHEREAS, Many settlers, with the belief that said road would be built, have purchased lands from the Government at \$2 50 per acre along the line of said road, the said price being established by the Act of Congress granting the said lands to said road; and,

WHEREAS, By Act of Congress said lands were forfeited back to the Government, thereby depriving said settlers of the benefits and conveniences which the completion of said road would have secured to them, and resulting in great loss to them, and it is but just and right that said settlers purchasing Government land in good faith for the purpose of making homes, and who have suffered hardships and losses by reason of the failure of the construction of said road and the forfeiture of its lands, should be reimbursed by the General Government for the excess paid for said lands above the minimum price for the same; therefore, be it

*Resolved by the Legislative Assembly of the State of Oregon:*

That our Senators and Representatives in Congress are hereby instructed and requested to use all proper means for the passage of an Act to reimburse such settlers for the excess paid by said settlers for their lands.

Mr. Gray moved that S. J. R. No. 18 be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So Senate Joint Resolution No. 18 was declared adopted.

Mr. Steel introduced Senate Resolution No. 24 as follows:

#### SENATE RESOLUTION NO. 4.

*Resolved*, That the several Committees of the Senate are authorized to fix the compensation of the Clerks of their respective Committees; and upon presentation of the certificate of the Chairman of the amount due each of said Clerks, the Secretary of State is authorized to draw his warrant for the same on the State Treasurer for payment.

Upon motion of Mr. Steel, the Resolution was adopted.

Having obtained unanimous consent, Mr. Allen called up Senate Bill No. 175, which was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—Messrs. Coleman, Dawson, Irvine and Veatch—4.

Absent—Messrs. Cauthorn and Rinehart—2.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

The courtesies of the Senate were extended to Rev. G. H. Atcheson of Portland.

A message was received from the House in relation to H. B. No. 59 in reference to the striking out on its final passage of Section 3. By unanimous vote, it was ordered not to spread said message on the Journal, and the Clerk was ordered to correct the mistake made in striking out part third in Section 1 of said bill, and strike out therefrom Section 3, being the emergency clause, as ordered by the Senate on its final passage.

This was so done, and the Clerk was further ordered to return the said bill to the House as now corrected.

The courtesies of the Senate were extended to Rev. I. D. Driver of Eugene City and Rev. I. D. Hines of Portland.

Mr. Williams, Chairman of the Committee on Enrollment, returned S. B. No. 137 with amendments to be engrossed.

Having obtained unanimous consent, Mr. Allen called up S. B. No. 174, which was read a third time, and the question being asked, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Cauthorn, Chamberlin, Dimick, Emmett, Lee, Simon, Steel, Williams, Wager, Watts—14.

Nays—Messrs. Coleman, Gray, Hare, Hamilton, Irvine, Looney, Miller, Siglin, Stanley, Veatch, Weatherford, Mr. President—12.

Absent—Messrs. Chandler, Dawson, Rinehart, Shupe—4.

So the bill was declared not passed.

Mr. Steel introduced S. C. R. No. 14 as follows:

#### SENATE CONCURRENT RESOLUTION NO. 14.

*Resolved by the Senate, the House concurring:*

That the several "Joint Committees" are authorized to fix the compensation of the Clerks of their respective Committees; and upon presentation of the certificate of the Chairman of the amount due each of said Clerks, the Secretary of State is authorized to draw his warrant for the same on the State Treasurer for payment.

On motion of Mr. Steel, the Resolution was adopted.

Mr. Shupe introduced Senate Resolution No. 25, as follows:

#### SENATE RESOLUTION NO. 25.

*Resolved,* That the per diem of the officers of the Senate shall be as follows:

Chief Clerk.....	\$10 00 per day
Assistant Clerk.....	\$8 00 per day
Reading Clerk.....	\$8 00 per day
Sergeant-at-Arms.....	\$5 00 per day
Door Keeper.....	\$5 00 per day
Pages.....	\$3 00 per day

On motion of Mr. Shupe, the motion was adopted.

Mr. Shupe introduced Senate Concurrent Resolution No. 13, as follows:

#### SENATE CONCURRENT RESOLUTION NO. 13.

WHEREAS, It is necessary that an appropriation be made for im-

provements to the building of the Oregon Children's Aid Society of this State, and that in the interest of economy the assistance of State labor should be called upon to aid in State improvements; therefore, be it

*Resolved by the Senate, the House concurring :*

That the Board of Building Commissioners of the State of Oregon are hereby authorized to furnish the officers of the Oregon Children's Aid Society 250,000 brick upon payment to the State of the actual cost of manufacturing the same.

On motion of Mr. Shupe, the Resolution was adopted.

Mr. Chamberlin, Chairman of the Committee on Mileage, submitted the following

### REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee appointed under S. R. No. 22, to ascertain the number of miles traveled by each member of the Senate in going to and returning from the seat of Government, have considered the same and submit the following

### REPORT.

NAMES OF SENATORS.	MILES TRAV'LED	AMOUNT DUE
J. C. Carson	106	\$ 15 90
G. A. Steel	106	15 90
Joseph Simon	106	15 90
L. T. Barin	65	9 75
C. O. T. Williams	65	9 75
J. B. Dimick	50	7 50
M. L. Chamberlin	2	30
J. B. Looney	40	6 00
R. A. Irvine	50	7 50
J. K. Weatherford	50	7 50
S. A. Dawson	60	9 00
E. P. Coleman	168	25 20
R. M. Veatch	204	30 60
J. H. Shupe	258	38 70
John Emmett	284	42 60
H. B. Miller	496	74 40
H. C. Stanley	640	96 00
C. M. Cartwright	558	83 70
L. B. Rinehart	762	114 30
George Chandler	834	125 10
J. H. Hamilton	1000	150 00
J. P. Wager	564	84 60
T. E. Cauthorn	75	11 25
J. D. Lee	30	4 50
J. C. Allen	18	2 70
J. M. Siglin	500	75 00
J. W. Watts	206	30 90
W. D. Hare	140	21 00
R. P. Bird	84	12 60
J. H. D. Gray	360	54 00



On motion of Mr. Chamberlin, the report was adopted.

S. B. No. 122 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Siglin, Shupe, Simon, Steel, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—Messrs. Dawson, Irvine and Veatch—3.

Absent—Messrs. Cartwright, Chandler, Miller, Rinehart and Stanley—5.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

S. B. No. 127 was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Rinehart, Shupe, Simon, Steel, Veatch, Williams, Wager, Watts, Mr. President—22.

Nays—Messrs. Lee and Siglin—2.

Absent—Messrs. Cartwright, Chamberlin, Miller, Stanley and Weatherford—5.

Excused—1.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 16, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 62.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 16, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. R. No. 16.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 16, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B. No. 26.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 16, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B's Nos. 66 and 204.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign H. B's Nos. 66 and 204 and S. B. No. 26, and shortly afterwards stated that he had signed them.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 16, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 165.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

S. B. No. 167 was read a third time, and the question now being, "Shall the bill pass?"

On motion of Mr. Miller, the Senate adjourned.

## AFTERNOON SESSION.

The Senate met at the hour appointed for its meeting and was called to order by the President.

The roll was called and all the Senators were present except Messrs. Cauthorn, Stanley and Williams.

Mr. Dimick introduced S. R. No. 26, as follows:

SENATE RESOLUTION NO. 26.

*Resolved by the Senate,* That all questions which may come up for consideration of the Senate during the remainder of this session, debate thereon shall be limited to five-minute speeches and no more, unless the time be extended by the Senate.

On motion of Mr. Dimick, the foregoing Resolution was adopted.

The special order being the consideration of S. B. No. 181, coming on to be acted upon by the Senate on the question "Shall the bill pass?"

Mr. Shupe obtained the unanimous consent to introduce the following

AMENDMENTS.

Amend Section 10 by striking out in line two the figures \$5,000 and inserting \$3,000.

In line 3 strike out the figures \$5,000 and insert \$3,000, so that the Section as amended will read as follows:

SECTION 10. For the purpose of carrying out the provisions of this Act, there is hereby appropriated out of the General Fund in the Treasury not otherwise appropriated the sum of \$3,000 for the year 1887 and the sum of \$3,000 for the year 1888.

On motion of Mr. Shupe, the amendments were adopted and agreed to.

Now the vote recurring on the question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Chamberlin, Emmett, Gray, Lee, Miller, Siglin, Shupe, Simon, Steel, Watts, Mr. President—13.

Nays—Messrs. Coleman, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Hare, Hamilton, Irvine, Looney, Stanley, Veatch, Williams, Weatherford, Wager—15.

Absent—Messrs. Bird and Rinehart—2.

So the bill failed to pass.

Mr. Gray, having obtained unanimous consent, moved that S. B. No. 136 be referred to the Committee on Commerce, with leave to report at any time, which was so ordered.

Now S. B. No. 167 coming on for consideration on the question, "Shall the bill pass?"

Mr. Watts, by unanimous consent, amended S. B. No. 167 as follows:

**FIRST AMENDMENT.**

In Section 2, line 2, strike out the word "five" and insert "three."

**SECOND AMENDMENT.**

In Section 1, line 4, after the word "medicinal" insert purposes on the written prescription of a practicing physician or for.

The foregoing amendments were adopted and agreed to without objection.

Mr. Chandler moved that the bill be re-referred for amendment and made the special order for this evening at 8 o'clock.

On this question the ayes and nays were called for by Messrs. Watts and Hare.

Those voting aye were:

Messrs. Barin, Coleman, Chandler, Simon, Stanley, Veatch, Weatherford—7.

Nays—Messrs. Allen, Bird, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Steel, Williams, Wager, Watts, Mr. President—22.

Absent—Mr. Siglin—1.

So the motion to re-refer was declared lost.

The question being again stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Irvine, Lee, Looney, Shupe, Veatch, Williams, Wager, Watts, Mr. President—18.

Nays—Messrs. Barin, Coleman, Hamilton, Miller, Rinehart, Simon, Stanley, Weatherford—8.

Blank—Mr. Siglin—1.

Absent—Messrs. Chandler, Gray and Steel—3.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

S. B. No. 176 was read the third time, and the question being, "Shall the bill pass?"

On motion of Mr. Simon, unanimous consent was given to strike out of line 6, page 5 of engrossed copy of bill, the words "or banking or brokerage."

Also after the word "State" in twentieth line, page 4, engrossed copy of bill, insert the words "except marine insurance," and the Clerk was instructed to make the change as above indicated, which was done.

On motion of Mr. Hare. unanimous consent was given to insert after the word "Insurance" in line 23, page 18 of engrossed copy of bill, the word "Company." This change the Clerk was ordered to make, which was so done.

The question now being stated again, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Steel, Williams, Watts—20.

Nays—Messrs. Hare, Veatch, Wager, Mr. President—4.

Absent—Messrs. Coleman, Cauthorn, Rinehart, Siglin, Stanley and Weatherford—6.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 16, 1887. }

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 136, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

Mr. Williams, Chairman of the Committee on Enrolled Bills, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 16, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bills Nos. 81, 62, 180 and 149, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

Mr. Barin, Chairman of the Committee on Commerce, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 16, 1887. }

*Mr. President*—Your Committee on Commerce, to whom was referred S. B. No. 136, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following amendments:

## FIRST AMENDMENT.

Amend Section 1 of said bill by inserting in line 11 of said Section in printed bill after the word "boat" and before the word "tug" the words "or steam."

## SECOND AMENDMENT.

Amend Section 2 of said bill by inserting after the word "pilots" in line 10 of said Section in printed bill the following: "Attached to said pilot schooner Governor Moody."

## THIRD AMENDMENT.

Also amend said Section 2 by adding after the word "Pilots" in line 18 of said Section in printed bill the following: "From the amount paid by them to the State."

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the foregoing amendments to S. B. No. 136 were adopted.

On motion of Mr. Gray, the bill was ordered engrossed and made the special order for 7:30 o'clock this evening.

On motion of Mr. Hare, the Senate resolved itself into a Committee of the whole Senate for the consideration of S. B. No. 169.

The Committee of the whole Senate having been dissolved, and the Senate again called to order by the President, Mr. Hare, Chairman of the Committee of the whole Senate, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 16, 1887. }

*Mr. President*—Your Committee of the whole Senate, to whom

was referred S. B. No. 169, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

W. D. HARE,  
Chairman.

Mr. Simon moved to adopt the following amendment to S. B. No. 169:

AMENDMENT.

Amend Section 1 by striking out the words "that the Governor, Secretary of State and State Treasurer" and insert in lieu thereof, "That there shall be elected by the Legislative Assembly of the State, now in session, three persons who shall."

The ayes and nays being called for by Messrs. Simon and Hare on the adoption of the foregoing amendment, the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Chamberlin, Emmett, Gray, Lee, Looney, Simon, Stanley, Steel, Williams, Watts, Mr. President—13.

Nays—Messrs. Coleman, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Hare, Hamilton, Irvine, Siglin, Weatherford, Wager—12.

Absent—Messrs. Bird, Miller, Rinehart, Shupe and Veatch—5.

So the amendment was declared adopted.

Mr. Simon moved that the bill be further amended as follows:

AMENDMENT.

Add to Section 2 the following: No Chinese shall be employed in or about the construction or operation of said railway, and it is hereby made the duty of said Board to see that this provision is faithfully carried out. All contracts entered into by said Board for the construction of said railway, or any part thereof, shall stipulate under adequate penalties against the employment of Chinese labor thereon.

On the adoption of the foregoing amendment the ayes and nays were called for by Messrs. Hare and Simon.

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Gray, Hare, Hamilton, Irvine, Looney, Siglin, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—Mr. Emmett—1.

Absent—Messrs. Lee, Miller, Rinehart, Shupe and Veatch—5.

So the said amendment was declared adopted.

On motion of Mr. Hare, the bill was ordered engrossed and made the special order for 8 o'clock this evening.

On motion of Mr. Lee, the vote whereby S. B. No. 12 was lost was reconsidered. Upon the original question, Mr. Hare moved a call of the Senate.

All the Senators answered to the call.

On motion of Mr. Hare, further call of the Senate was dispensed with.

The action recurring upon the question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Cartwright, Chamberlin, Dawson, Gray, Hare, Lee, Miller, Siglin, Simon, Stanley, Steel, Williams, Watts—15

Nays—Messrs. Barin, Coleman, Cauthorn, Dimick, Emmett, Hamilton, Irvine, Looney, Shupe, Veatch, Weatherford, Wager, Mr. President—13.

Absent—Messrs. Chandler and Rinchart—2.

So the bill failed to pass.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 16, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B's Nos. 62, 81 and 180.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign S. B's Nos. 81, 62 and 180, and soon afterwards stated that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 16, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B. No. 149.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign Senate Bill No. 149, and soon after stated that he had signed it.



On motion of Mr. Hare, it was ordered that when the Senate adjourn it do adjourn to meet at 7:30 o'clock this evening.

By unanimous consent, Mr. Stanley was excused until to-morrow morning.

On motion of Mr. Wager, the motion whereby S. B. No. 183 was lost was reconsidered.

The motion recurring upon the original question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Cartwright, Chandler, Chamberlin, Dimick, Emmett, Gray, Hamilton, Irvine, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—21.

Nays—Messrs. Barin, Coleman, Dawson, Lee, Veatch and Weatherford—6.

Absent—Messrs. Cauthorn, Hare and Rinehart—3.

So the bill was declared passed, and the title of the bill stands as the title of the Act.

By unanimous consent, Mr. Simon introduced Senate Bill No. 185, being a bill for an Act to perpetuate testimony in certain cases.

Mr. Simon moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Shupe and Steel—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Shupe moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Steel and Wager—2.

So the rules were suspended and the bill was read a second time by title.

Mr. Simon moved that the rules be further suspended and the bill be read a third time and placed upon its final passage.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cauthorn, Siglin, Steel, Wager—4.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Simon, Shupe, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Irvine and Wager—2.

So the bill was declared passed, and on motion of Mr. Simon and by unanimous consent, the title was changed to read as follows :

"A bill for an Act to provide for Perpetuating Testimony in Certain Cases."

Mr. Hare introduced Senate Joint Resolution No. 19, as follows :

#### SENATE JOINT RESOLUTION NO. 19.

WHEREAS, The records, muster rolls, lists and all papers connected with or referring to the war known as the Cayuse Indian War of 1846–7, in Oregon, were burnt up in the capitol building at Salem that was totally destroyed by fire in 1854; and,

WHEREAS, There are no records or other evidences of said war to be found either in Oregon or at the capital of the United States at Washington City; and,

WHEREAS, Those self-sacrificing men who participated in that war engaged themselves in a war necessary to protect the lives and property of the citizens of Oregon from the massacre and ravages of merciless savages who were determined to prevent settlement by white population within this then Territory of Oregon, which war was conducted even through the severity of a winter climate, attended with loss of life in many cases, privation and destitution in all, to a hard-fought victory; and,

WHEREAS, Those citizens who were engaged in that war should receive from the Government of the United States substantial recognition for this great service rendered to the General Govern-

ment and to Oregon, and their names should be placed upon the pension rolls of the Government and receive the benefits of the provisions of the Pension laws of the United States; therefore, be it

*Resolved by the Senate, the House concurring:*

SECTION 1. That the Legislative Assembly of the State of Oregon respectfully requests of the Congress of the United States that the names of all persons engaged in the Cayuse Indian war of 1846-7 of Oregon be placed upon the pension rolls of the Government of the United States and that they receive the benefits of the provisions of the Pension laws of the General Government, and that the evidences of identification and service furnished by the Secretary of the State of Oregon be received as satisfactory proof of the claim of the applicant.

SEC. 2. That it shall be the duty of the Secretary of the State of Oregon to receive the names of all men who participated in the Cayuse Indian war of 1846-7 of Oregon, under the authority of the Provisional Government of Oregon, with proof of identification and service by two or more witnesses under oath or other satisfactory evidence of identification and faithful service, which said names when so proven shall be forwarded to the proper officer under the said Pension Laws of the United States by the Secretary of the State of Oregon for acceptance of the benefits by the applicants arising under the provisions of said Pension Laws of the Government, and all such names of all persons so identified as herein provided are requested to be placed on the Pension Rolls of the Government by its officer or officers, whereby said applicants may receive the benefits of the provisions of said Pension Laws.

Mr. Hare moved that S. J. R. No. 19 be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Williams and Wager—2.

So S. J. R. No. 19 was declared adopted.

Mr. Lee introduced Senate Joint Resolution No. 20, as follows:

#### SENATE JOINT RESOLUTION NO. 20.

*Resolved by the Senate, the House concurring:*

That the Secretary of State be and he is hereby authorized and

directed to forward by mail one copy of the Code of Oregon, collected, compiled and annotated by W. Lair Hill, as soon as the same may be procured, and one copy of the 12th and 13th volumes of the Oregon Reports to each member of the present Legislative Assembly.

Mr. Lee moved that S. J. R. No. 20 be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So S. J. R. No. 20 was declared adopted.

Mr. Steel, Chairman of the Committee on Engrossed Bills, submitted the following

#### REPORT.

SENATE CHAMBER, )  
SALEM, February 16. 1887. )

*Mr. President*—Your Committee on Engrossed Bills, to whom was referred Senate Bill No. 136, beg leave to report the same back to the Senate as correctly engrossed.

G. A. STEEL,  
Chairman.

On motion of Mr. Miller, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

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#### EVENING SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all Senators reported present.

On motion of Mr. Coleman, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

THURSDAY, FEBRUARY 17, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, February 17, 1887. }

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called, and all the Senators were present except Mr. Wager.

On motion of Mr. Dimick, the reading of the Journal of yesterday's proceedings was dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 16, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. C. R. No. 12.

And the same is herewith transmitted.

A. C. JENNINGS,  
Chief Clerk.

The time set by the Legislative Assembly to elect a State Librarian, Register of the Land Office at La Grande and three Pilot Commissioners having arrived, the Senate repaired to the hall of the House of Representatives.

JOINT CONVENTION.

The Senators having entered the hall of the House, the Convention was called to order by the President of the Senate.

The Clerk called the roll of the Senate and all the Senators were found present, and the Clerk of the House called the roll of the House and all members were present. After a statement of the purpose of the Joint Convention, the President declared the first order of business to be the election of three Pilot Commissioners.

Mr. Watts placed in nomination L. Wilson of Clatsop, J. A. Brown of Multnomah and A. Noyer of Multnomah.

Mr. Bilyeu placed in nomination C. Leinenweber of Clatsop.

Mr. Hare moved that all three Pilot Commissioners be voted for by one ballot, and that each member of the Convention in voting name three persons, which motion prevailed.

The roll was called and those voting for Mr. L. Wilson were :

Messrs. Allen, Barin, Bird, Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Cartwright, Chandler, Chamberlin, Crook, Culver, Crockett, Dawson, Dimick, Davis, Emmett, Gray, Gard, Gubser, Goodsell, Gay, Hare, Hamilton, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Irvine, Johnson, Kruse, Lee, Looney, Lockett, Lafollet of Marion, Lafollet of Yamhill, Layman, Laughlin, Little, Miller, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Rinehart, Roberts, Richardson, Siglin, Shupe, Simon, Stanley, Steel, Stafford, Swank, Summers, Smith, Thompson, Taylor, Vanderpool, Williams, Weatherford, Wager, Watts, Wilson, Wilcox, Mr. President, Mr. Speaker—85.

Those voting for Mr. J. A. Brown were:

Messrs. Allen, Barin, Bird, Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Crook, Culver, Crockett, Dawson, Dimick, Davis, Daly, Emmett, Gray, Gard, Gubser, Goodsell, Gay, Hare, Hamilton, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Irvine, Johnson, Kruse, Lee, Looney, Lockett, Layman, Laughlin, Little, Miller of Josephine, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, McLean, Munger, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Rinehart, Roberts, Richardson, Siglin, Shupe, Simon, Stanley, Steel, Stafford, Swank, Summers, Smith, Thompson, Vanderpool, Williams, Wager, Watts, Wilson, Wilcox, Mr. President, Mr. Speaker—84.

Those voting for Mr. A. Noyer were:

Messrs. Allen, Barin, Bird, Benjamin, Blundell, Coleman, Cauthorn, Chamberlin, Culver, Dawson, Dimick, Daly, Emmett, Gray, Gard, Gubser, Goodsell, Gay, Hare, Hicks, Harris, Haley, Lee, Looney, Lafollet of Marion, Lafollet of Yamhill, Layman, Laughlin, McLean, Munger, McCully, Pomeroy, Palmer, Roberts, Shupe, Simon, Steel, Summers, Smith, Taylor, Williams, Weatherford, Watts, Mr. Speaker—44.

Those voting for Mr. C. Leinenweber were:

Messrs. Bowditch, Bilyeu, Biggs, Blevins, Coleman, Cartwright, Chandler, Cauthorn, Crook, Crockett, Davis, Daly, Hamilton, Holland, Hale, Henry, Hansard, Harrington, Holmes, Haley, Irvine, Johnson, Kruse, Lockett, Lafollet of Marion, Lafollet of Yamhill, Little, Miller of Josephine, Mayer, Maxwell, Miller of Jackson, Miller of Linn, Mitchell, Munger, McKenzie, Mackay, Noyer, Osborn, Pendleton, Paulsen, Rinehart, Richardson, Siglin, Stanley, Stafford, Swank, Thompson, Taylor, Veatch, Vanderpool, Weatherford, Wager, Wilson, Wilcox, Mr. President—55.

L. Wilson, J. A. Brown and C. Leinenweber having received a majority of all votes cast, were declared duly elected Pilot Commissioners.

The next order of business being the election of a State Librarian.

Mr. Watts placed in nomination for that office J. B. Putnam.

Mr. Mitchell placed in nomination J. Goodell.

The roll was called and those voting for J. B. Butnam were:

Messrs. Allen, Barin, Bird, Benjamin, Blundell, Bowditch, Bilyeu, Biggs, Blevins, Coleman, Cartwright, Chandler, Chamberlin, Crook, Culver, Crockett, Dawson, Dimick, Davis, Daly, Emmett, Gray, Gard, Gubser, Goodsell, Gay, Hare, Holland, Hale, Henry, Hansard, Hicks, Harris, Harrington, Holmes, Haley, Irvine, Johnson, Kruse, Lee, Looney, Lafollett of Marion, Lafollet of Yamhill, Layman, Laughlin, Little, Miller of Josephine, Mayer, Maxwell, Miller of Linn, McLean, Munger, McKenzie, Mackay, McCully, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Shupe, Simon, Steel, Stafford, Swank Summers, Smith, Thompson, Taylor, Vanderpool, Williams, Weatherford, Wager, Watts. Wilson, Wilcox, Mr. President, Mr. Speaker.

Those voting for J. Goodell were:

Messrs. Cauthorn, Hamilton, Lockett, Mitchell, Rinehart, Stanley, Veatch.

Absent—Mr. Noyer.

On motion of Mr. Hare, the Convention was dissolved.

#### IN THE SENATE.

The Senate having returned to its Chamber, was called to order by the President.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 16, 1887. }

*To the Honorable the President of the Senate:*

I am directed by the Governor to inform you that he has signed the following bills:

#### HOUSE BILL NO. 123.

“An Act to fix the salary of the State Superintendent of the Oregon State Penitentiary.”



## HOUSE BILL NO. 149.

"An Act to define the boundary line between Yamhill and Tillamook Counties."

## HOUSE BILL NO. 18.

"An Act to re-locate the County Seat of Yamhill County, Oregon, to provide for the submission of said re-location to the voters of said County and regulate the manner and fix the time of said submission and the construction of its County buildings."

## HOUSE BILL NO. 13.

"An Act entitled an Act to amend Section 14 of Title I. of Chapter XXVIII., General Laws of Oregon, being Section 686, Chapter VIII., Criminal Code, published in 1874 by authority of the Legislative Assembly of the State of Oregon, as amended October 17, 1876."

## HOUSE BILL NO. 186.

"An Act to amend Section 25, Title II., Chapter VIII., of the Miscellaneous Laws of Oregon, as compiled by Matthew P. Deady and La Fayette Lane."

## HOUSE BILL NO. 109.

"An Act to prevent persons from unlawfully using or wearing the badge of the Grand Army of the Republic of this State."

## SENATE BILL NO. 102.

"An Act to amend an Act incorporating the city of Silverton."

## SENATE BILL NO. 135.

"An Act to amend Section 8 of an Act entitled 'An Act to create the County of Crook and to fix the salaries of County Judge and Treasurer thereof,' approved October 24, 1882."



## SENATE BILL NO. 153.

“An Act to amend an Act entitled an Act to incorporate the city of Portland, approved October 24, 1882.”

## SENATE BILL NO. 90.

“An Act amending Sections 2 and 3 of an Act entitled an Act to incorporate the town of Marshfield, approved October 24, 1874.”

## SENATE BILL NO. 156.

“An Act to provide for the times of holding the terms of the Circuit Court in the Fifth Judicial District.”

## SENATE BILL NO. 163.

“An Act to amend an Act entitled an Act to incorporate the city of McMinnville, in the County of Yamhill, State of Oregon, and repeal an Act to incorporate the town of McMinnville, in the County of Yamhill, State of Oregon, approved October 20, 1876; and also an Act entitled an Act to amend an Act entitled an Act to incorporate the town of McMinnville, County of Yamhill, State of Oregon, approved October 20, 1876, (October 15, 1880) approved October 21, 1882; and also to amend an Act entitled an Act to amend an Act entitled an Act to incorporate the city of McMinnville, in the County of Yamhill, State of Oregon, approved October 21, 1882; and repeal an Act to incorporate the town of McMinnville, in the County of Yamhill, State of Oregon, approved October 20, 1876; and also an Act entitled an Act to amend an Act entitled an Act to incorporate the town of McMinnville, County of Yamhill, State of Oregon, approved October 20, 1876 (October 15, 1880), approved February 5, 1885.

And the same have been this day placed on file in the office of the Secretary of State.

WM. A. MUNLY,  
Private Secretary.

Mr. Williams, Chairman of the Committee on Enrollment, submitted the following

## REPORT.

SENATE CHAMBER, }  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was

referred Senate Bill No. 119, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 16, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has refused to concur in S. J. R. No. 17.

And the same is herewith returned.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 124, being a bill for an Act to amend Section 90, Title VI., Chapter LVII., Miscellaneous Laws of Oregon.

And the same are herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 124, accompanying the foregoing message, coming on to be read, Mr. Hare moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Veatch moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Hare—1.

So the rules were suspended and the bill was read a second time by title.

Mr. Veatch moved that the rules be suspended and the bill be read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Rinehart and Williams—2.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 12, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 177, being a bill for an Act to fix the salaries of County School Superintendents.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 177, accompanying the foregoing message, coming on for reading, Mr. Hare moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Rinehart—1.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Hare moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Rinehart and Williams—2.

So the rules were suspended and the bill was read a second time by title.

Mr. Miller obtained unanimous consent to amend H. B. No. as follows:

#### AMENDMENT.

By inserting "three hundred dollars" in lieu of "five hundred dollars" in line 15 of printed bill.

On motion of Mr. Miller, the amendment was adopted.

Mr. Gray obtained unanimous consent to amend as follows:

#### AMENDMENT.

Amend line 6, printed bill, by striking out after the word "County" the words "four hundred" and insert the words "three hundred."

On motion of Mr. Gray, the foregoing amendment was adopted and agreed to.

Mr. Dimick obtained unanimous consent to amend as follows:

## AMENDMENT.

In line 20 strike out \$800 and insert \$600.

On motion of Mr. Dimick the above amendment was adopted and agreed to.

Mr. Barin obtained unanimous consent to amend as follows:

## AMENDMENT.

Amend bill by striking out in line 5 of Section 1 the word "seven" and insert in lieu thereof the word "five."

On motion of Mr. Barin the above amendment was adopted and agreed to.

Mr. Hare now moved that the rules be suspended and H. B. No. 177 be read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Weatherford, Watts, Mr. President—26.

Nays—Messrs. Chandler and Wager—2.

Absent—Messrs. Cauthorn and Williams—2.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—27.

Nays—Messrs. Chandler and Wager—2.

Absent—Mr. Simon—1.

So the bill was declared as having passed.

Mr. Williams, Chairman of the Committee on Enrollment, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 17, 1887.

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bill No. 165 and S. J. R. No. 16, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. J. R. No. 12, House Bills Nos. 59, 60, 94, 145 and 96.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B. No. 119.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. R. No. 20.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. C. R. No. 14.

And the same is herewith transmitted.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. M. No. 9.  
And the same is herewith transmitted.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. R. No. 19.  
And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. R. No. 18.  
And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. C. R. No. 13.  
And the same is herewith transmitted.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign S. B. No 119 and H. J. R. No. 12, also House Bills Nos. 59, 96, 60, 94 and 145, and shortly afterwards announced that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 12, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 238, being a bill for an Act to enable and authorize the County Court of Tillamook County to negotiate loans and issue bonds.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 238, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

Mr. Hare moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read a second time by title.

Mr. Gray moved that the rules be further suspended and the bill be read the third time and placed upon its final passage now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Coleman and Rinehart—2.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller,



Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Coleman, Cauthorn, Chamberlin, Rinehart, Siglin and Weatherford—6.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 82, being a bill for an Act to amend Section 32, Chapter VII., Miscellaneous Laws of Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS.  
Chief Clerk.

Mr. Weatherford moved that the rules be suspended, and the bill accompanying the foregoing message be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts and Mr. President—27.

Nays—None.

Absent—Messrs. Coleman, Rinehart and Siglin—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Weatherford moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts and Mr. President—28.

Nays—None.

Absent—Messrs. Coleman and Rinehart—2.

So the rules were suspended and the bill was read a second time by title.

Mr. Weatherford moved that the rules be further suspended and the bill be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts and Mr. President—27.

Nays—Messrs. Barin and Chandler—2.

Absent—Mr. Gray—1.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?"

Pending this question Mr. Chandler moved that the bill be laid upon the table.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cartwright, Looney, Siglin, Shupe, Williams—6.

Nays—Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Miller, Stanley, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—21.

Absent—Messrs. Hare, Rinehart and Simon—3.

So the motion to lay on the table failed to pass.

The vote recurring upon the original question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Cauthorn, Dawson, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Stanley, Veatch, Weatherford, Wager, Watts, Mr. President—21.

Nays—Messrs. Barin, Chandler, Chamberlin, Dimick, Williams—5.

Absent—Messrs. Rinehart, Shupe, Simon and Steel—4

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 176.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B. No. 165 and S. J. R. No. 16.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign S. J. R. No. 16 and S. B. No. 165, and shortly afterwards stated that he had signed them.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 115, being a bill for an Act to regulate the sale or gift of opium, morphine, eng-she or cooked opium, hydrate of chloral or cocaine.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Simon moved that the rules be suspended and the bill accompanying the foregoing message be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Rinehart—1.

So the rules were suspended and the bill was read a first time by title and passed to a second reading without a question.

Mr. Simon moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee,

Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Coleman and Rinehart—2.

So the rules were suspended and the bill was read a second time by title.

Mr. Simon moved that the rules be further suspended and the bill be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Coleman, Cauthorn, Rinehart and Stanley—4.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So the bill was declared passed.

The Senate adjourned.

### AFTERNOON SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators reported present except Messrs. Cartwright, Siglin, Miller and Weatherford.

Mr. Gray, Chairman of the Committee on Federal Relations, submitted the following

### REPORT.

SENATE CHAMBER,  
SALEM, February 17, 1887. }

*Mr. President*—Your Committee on Federal Relations, to whom was referred the communication from the Governor in relation to the

Convention of Governors at Philadelphia in September next to celebrate the Centennial Anniversary of the promulgation of the Federal Constitution, beg leave to report that they have had the same under consideration, and would respectfully report back to the Senate the following Joint Resolution on the subject with the recommendation that it do pass.

J. H. D. GRAY,  
Chairman.

The Resolution referred to in the foregoing report is as follows:

SENATE JOINT RESOLUTION NO. 21.

WHEREAS, At the Convention of Governors of the thirteen Colonial States held at Philadelphia, September 17, 1886, a programme was adopted for the celebration by the Nation of the Centennial Anniversary of the framing and promulgation of the Federal Constitution on the 17th day of September, 1887, at Philadelphia, Pennsylvania;

WHEREAS, By a resolution adopted by said Convention asking the prompt and earnest co-operation of all the States and Territories in carrying out the programme for celebrating said Centennial Anniversary; and,

WHEREAS, It is desirable and proper that the State of Oregon should be represented at such celebration; therefore, be it

*Resolved by the Legislative Assembly of the State of Oregon:*

That the Governor of the State of Oregon be and is hereby appointed to represent this State either in person or by proxy at said celebration and that all reasonable expenses incurred by him in carrying out the object of this Resolution and in attending said celebration in person or by proxy be allowed and paid by this State.

Mr. Coleman moved to adopt S. J. R. No. 21.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Cartwright, Chandler and Siglin—3.

So S. J. R. No. 21 was declared adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 184.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 15, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 241, being a bill for an Act to incorporate Newport.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 241 accompanying the foregoing message, coming on to be read, Mr. Cauthorn moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Weatherford and Wager—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Cauthorn moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Veatch, Weatherford, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Stanley, Steel, Williams and Wager—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Cauthorn was made the special order for 7:30 o'clock this evening.

On motion of Mr. Cauthorn, it was ordered that when the Senate adjourn it do adjourn to meet at 7:30 o'clock this evening.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 261, being a bill for an Act to incorporate the town of Dallas in the County of Polk and State of Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 261, accompanying the foregoing message, coming on for a reading, Mr. Lee moved that the rules be suspended and the bill be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Steel—1.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Lee moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Cauthorn, Steel and Wager—3.

So the rules were suspended and the bill was read a second time

by title, and on motion of Mr. Lee was referred to the Committee on Corporations, and made the special order for 8 o'clock this evening.

Mr. Williams, Chairman of the Committee on Enrollment, submitted the following

### REPORT.

SENATE CHAMBER,  
SALEM, February 17, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bill No. 137 and S. J. R. No. 20, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 15, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 163, being a bill for an Act to create the office of Attorney-General for the State of Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 163, accompanying the foregoing message, coming on for a reading, Mr. Simon moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Allen, Barin, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Bird, Cartwright and Steel—3.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 242, being a bill for an Act entitling women to hold the office of County School Superintendent in the State of Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 242, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 15, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 224, being a bill for an Act to protect deer and elk and to prescribe the duties of Justices of the Peace.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 224, accompanying the foregoing message, coming on for a reading, Mr. Shupe moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Bird, Cartwright, Dimick and Steel—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 182.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 15, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 85, being a bill for an Act to amend an Act to regulate salmon fisheries on the Columbia River and its tributaries.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 85, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 15, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 50, being a bill for an Act to appropriate money to assist the Counties of Coos and Douglas to construct a wagon road.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 50, accompanying the foregoing message, coming on for a reading, Mr. Shupe moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cau-

thorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Wager, Watts, Mr. President—27.

Nays—Mr. Hare—1.

Absent—Messrs. Steel and Weatherford—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 15, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 59, being a bill for an Act to increase the efficiency of our common schools.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 16, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 84, being a bill for an Act to regulate the rate of interest in the State of Oregon and to repeal all of an Act entitled an Act to amend Section 145, Chapter XXVII. of Miscellaneous Laws.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 84, accompanying the foregoing message, coming on for a reading, Mr. Irvine moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Veatch, Williams, Wager, Mr. President—25.

Nays—None.

Absent—Messrs. Cartwright, Stanley, Steel, Weatherford and Watts—5.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 16, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 206, being a bill for an Act to amend Section 30, Title III., Chapter L., Miscellaneous Laws of Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 206, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 16, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 24, being a bill for an Act to repeal an Act entitled an Act to provide for the appointment of a Board of Immigration Commissioners and appropriate money.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 24, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 118, being a bill for an Act to pro-

tect live stock and provide for payment for same when killed or injured on any unfenced railroad track.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Simon moved that H. B. No. 118, accompanying the foregoing message, be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Cartwright and Steel—3.

So the rules were suspended and H. B. No. 118 was read a first time by title and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 16, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 120, being a bill for an act to provide for construction and extension Narrow Gauge Railway system into Middle and Eastern Oregon, etc.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Miller moved that the rules be suspended and H. B. No. 120, accompanying the foregoing message, be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Allen, Cartwright, Hare, Simon, Stanley and Steel—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 80.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 16, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 117, being a bill for an Act to establish number of hours constituting a day's work.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 117, accompanying the foregoing message, was read a first time and passed to a second reading without a question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 15, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 193, being a bill for an Act defining in what Justices' Courts a criminal prosecution may be instituted.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 193, accompanying the foregoing message, was read a first time and passed to a second reading without a question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 15, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 91, being a bill for an Act to amend Section 1 and repeal Section 3 of an Act to regulate passage of bicycles, tricycles, velocipedes, etc.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 91, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B. No. 137 and S. J. R. No. 20.

And the same are herewith transmitted.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign S. B. 137 and S. J. R. No. 20, and shortly afterward stated that he had signed them.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 190, being a bill for an Act to appropriate money to aid County and District Agricultural Associations.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Shupe moved that the rules be suspended and H. B. No. 190, accompanying the foregoing message, be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Coleman and Cartwright—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. )

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 198, being a bill for an Act granting right of way to Portland and Willamette Valley Railway Company through River View Cemetery.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Watts moved that the rules be suspended and H. B. No. 198, accompanying the foregoing message, be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cartwright, Dawson, Gray and Stanley—4.

So the rules were suspended and the bill was read a first time by title and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. )

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 116, being a bill for an Act to amend Section 525, Chapter II., Criminal Code.



And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 116, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 58, being a bill for an Act to amend an Act to regulate the transportation of passengers and freight by railroad corporations, approved February 20, 1885.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Miller moved that the rules be suspended and H. B. No. 158, accompanying the foregoing message, be read a first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Cartwright, Cauthorn, Gray and Weatherford—4.

So the bill was read a first time by title and passed to a second reading without a question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed House Bill No. 88, being a bill for an Act relating to the sale of cigarettes and tobacco to minors.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 88, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 12, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 167, being a bill for an Act to amend Section 18, Title III., Chapter XLI., Miscellaneous Laws of Oregon.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 167, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 178.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 138, being a bill for an Act to amend Section 491, Title VII., Chapter V., General Laws of Oregon on Divorce.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 138, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 155, being a bill for an act to regulate proper appropriation road moneys.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 155, accompanying the foregoing message, was read a first time and passed to a second reading without a question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 43, being a bill for an Act to provide for the maintenance of Kindergartens as a part of the Public School system.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 43, accompanying the foregoing message, was read a first time and passed to a second reading without a question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 114, being a bill for an Act relating to County roads and Supervisors.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

S. B. No. 114, accompanying the foregoing message, was read a first time and passed to a second reading without a question.

## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 17, 1887. }

*To the Honorable the President of the Senate :*

I am directed by the Governor to inform you that he has signed the following bills:

## SENATE BILL NO. 180.

"An Act to provide an additional Circuit Judge for the Sixth Judicial District."

## SENATE BILL NO. 82,

"An Act to repeal Title III. of Chapter XXIX. of the Miscellaneous Laws of Oregon as compiled by Matthew P. Deady and La Fayette Lane."

## SENATE BILL NO. 81.

"An Act to declare void certain certificates of sale and to forfeit certain lands; to authorize the cancellation of such certificates; to direct repayment of moneys paid thereon; to preserve the rights of settlers on swamp lands; to authorize the institution of suits to cancel conveyances obtained by fraud and to provide for the issuance of deeds to swamp lands without reclamation."

## SENATE BILL NO. 149.

"An Act entitled an Act to amend an Act entitled an Act to incorporate Dalles City, and to repeal an Act entitled an Act to incorporate Dalles City, approved October, 1862; and also an Act entitled an Act to incorporate Dalles City, approved October 24, 1868; and also an Act entitled an Act to amend an Act entitled an Act to incorporate Dalles City, approved October 26, 1870, approved October 15, 1880; and to enable said Dalles City to levy a tax and construct a bridge across the Columbia River and to provide for a Commission to control and manage the construction thereof."

## SENATE BILL NO. 26.

"An Act entitled an Act to amend Sections 6, 8, 9, 16 and 23 of the charter of the city of Salem, and to provide for the improvement and extension of streets and for the construction and repair of sidewalks, sewers and drains in said city, and to provide for the performance of the duties of Recorder in case of his disability."

## SENATE BILL NO. 54.

"An Act to amend Section 1 of an Act entitled an Act to authorize foreign incorporations to do business and exercise their corporate powers within the State of Oregon, approved October 21, 1878."

## SENATE BILL NO. 55.

"An Act to amend Section 5 of Title I., Chapter VII., of the Miscellaneous Laws of Oregon, as amended by Section 1 of an Act entitled an Act to amend Sections 5, 17 and 22 of Title I. of Chapter VII. of the Miscellaneous Laws of Oregon as compiled by Matthew P. Deady and La Fayette Lane, approved October 21, 1878."

The same have become laws and have been this day filed in the office of the Secretary of State.

WM. A. MUNLY,  
Private Secretary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 15, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. 229, being a bill for an Act to provide for the election of Precinct Assessors, and other purposes.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 229, accompanying the foregoing message, coming on for a reading, Mr. Dimick moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Cham-

berlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Williams, Weatherford Wager, Watts—26.

Nays—None.

Absent—Messrs. Cartwright, Stanley, Veatch and Mr. President—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 162, being a bill for an Act to prevent the adulteration of food or drugs.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 162, accompanying the foregoing message, coming on for a reading, Mr. Watts moved that the rules be suspended and the bill be read the third time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Steel, Williams, Weatherford, Watts—22.

Nays—None.

Absent—Messrs. Cartwright, Gray, Miller, Rinehart, Stanley, Veatch, Wager and Mr. President—8.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 161, being a bill for an Act to defray funeral expenses of needy soldiers of Indian wars, Mexican wars and war of the Rebellion.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 161, accompanying the foregoing message, was read the first time and passed to a second reading without a question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. No. 197, being a bill for an Act to define the duties of State Printer.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. B. No. 197, accompanying the foregoing message, coming on for a reading, Mr. Hare moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Williams, Weatherford, Watts, Mr. President—20.

Nays—None.

Absent—Messrs. Coleman, Chandler, Gray, Rinehart, Siglin, Simon, Stanley, Steel, Veatch and Wager—10.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Hare moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Coleman, Cartwright, Chandler, Gray, Veatch and Weatherford—5.

So the rules were suspended and the bill was read a second time

by title, and on motion of Mr. Hare was referred to the Committee on Printing with leave to report at any time.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 16, 1887. )

*Mr. President*—Your Committee on Judiciary, to whom was referred H. B. No. 137, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate without recommendation.

The Committee have authorized me to submit the following amendments:

#### FIRST AMENDMENT.

Strike out the following part of the bill: "That Section 52, of Title III., Chapter VII., of the Miscellaneous Laws of Oregon, as compiled by M. P. Deady and La Fayette Lane, be amended so as to read as follows: lines 9, 10, 11, 12, 13 and 14 of the engrossed bills," and insert in lieu thereof

SECTION 1. That Title III., of Chapter VII., of the Miscellaneous Laws of Oregon as Compiled by M. P. Deady and La Fayette Lane be amended by adding thereto the following Section, to be numbered Section 53:

#### SECOND AMENDMENT.

Change Section 52 by numbering it Section 53.

#### THIRD AMENDMENT.

Strike out of the title of the bill the words and figures in the first line "Section 52 of."

JOSEPH SIMON,  
Chairman.

On motion of Mr. Simon, the foregoing amendments were adopted and agreed to and the bill ordered read the third time.

H. B. No. 137 was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Cartwright, Chandler, Chamberlin, Hamilton,



Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Wager, Watts, Mr. President—17.

Nays—Messrs. Barin, Coleman, Cauthorn, Dawson, Dimick, Emmett, Hare, Irvine, Looney, Veatch, Weatherford—11.

Absent—Lee—1.

Excused—Gray—1.

So the bill was declared passed.

Mr. Barin, Chairman of the Joint Committee under H. J. R. No. 3 submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 16, 1887. }

*Mr. President*—We your Special Committee on the part of the Senate, appointed under H. J. R. No. 3, to investigate the disposition of funds appropriated by the Session of the Legislature of 1885, for the purpose of building a fish way at the falls of Oregon City, Oregon, after careful examination we find that the amount of the appropriation was \$10,750; that Mr. Wallace Baldwin was appointed Commissioner, with the authority to construct said fish way or fish ladder; that we find in our examination that Mr. Baldwin expended to the San Francisco Bridge Co., \$9,700; Mr. Webber for making survey, plans, and superintending the work during construction, \$450; attorneys' fees, \$85; to Wallace Baldwin, salary, \$200; to Wallace Baldwin, for traveling expenses, \$275—leaving a balance still on hand of \$40.

We find that the ladder, from the best information we can get, to be very greatly damaged, yet in its present state, owing to the rocks being blasted out at the brink of the falls, salmon do ascend but not in such numbers as would ascend if the ladder were in good condition. We are unable to approximate the amount of damage sustained, but in our limited information we think it would require an appropriation fully equal to the amount recommended, in the Commissioners' Report to the Legislature, to repair the ladder and to protect it from damages from drift and high water, viz., \$2,500, and we hereby recommend that the said appropriation be made.

L. T. BARIN,  
T. E. CAUTHORN.

On motion of Mr. Chamberlin, the foregoing report was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 14, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that

the House has passed H. B. No. 170, being a bill for an Act to provide for subjection of debts due by judgment to levy of attachment and execution.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Shupe moved that the rules be suspended and H. B. No. 170, accompanying the foregoing message, be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Cartwright, Dawson, Gray, Hare, Siglin and Steel—6.

So the rules were suspended and the bill was read a first time by title.

Mr. Cartwright, Chairman of the Committee on Public Lands, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 12, 1887. }

*Mr. President*—Your Committee on Public Lands, to whom was referred House Bill No. 44, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it does pass.

C. M. CARTWRIGHT,  
Chairman.

Mr. Wager, obtaining unanimous consent, moved to amend H. B. No. 44 by adding a section, to be Section 5, as follows:

#### AMENDMENT.

SECTION 5. All Acts and parts of Acts in conflict with this Act are hereby repealed.

On motion of Mr. Wager the amendment was adopted and agreed to.

Mr. Cartwright moved that the rules be suspended and the bill be placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Allen, Dawson, Dimick, Williams and Weatherford—5.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Allen, Dimick, Hare and Veatch—4.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 83.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

Mr. Cartwright, Chairman of Special Committee, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 12, 1887. }

*Mr. President*—Your Joint Committee to examine the books and papers of the Oregon State Board of Agriculture, beg leave to report that we have had the same under consideration, and have carefully examined the expenditure of the money appropriated by the State for the purposes and uses of said Board. We find that in the past two years there has been paid, as premiums upon the exhibitions of the stock interests of the State, the agricultural interests, the me-

chanical interests and of the other material interests of Oregon, the sum of \$8,884 05, and that there is in the treasury a balance of the sum appropriated—the sum of \$1,115 95.

We examined carefully the methods adopted by the Board of awarding the premiums paid by said Board upon the above named exhibitions, and find that the people of the entire State were fully represented in making said awards.

We also find that the money appropriated and paid out by said Board as premiums has been distributed throughout the entire State, and that the stock-growing, the agricultural, the mechanical and art interests of the State have been greatly benefited by the small expenditure which Oregon has made to this Board.

We find that none of the money appropriated has been used in any manner whatever as premiums for trials of speed nor in any way has been used to aid the speed department of the State Fair. We also have ascertained that the speed department is separate and distinct from the other departments of the State Fair and that said speed department has yielded to the Board over and above all the expenses of said department a net sum of \$1900, which has been added to and made a part of the net proceeds of the last two State Fairs held under the management of the Board.

We also find that this Board has conducted the last two State Fairs so profitably and successfully that there has been a net profit over and above all expenses the sum of \$11,357 33, and that out of this sum the Board has paid upon the debts of the Oregon State Agricultural Society, which conducted the State Fairs of this State from 1861 to 1884, the sum of \$10,160.

This Board has conducted the two State Fairs last held judiciously, economically and profitably, and we are fully satisfied that no expenditure of the State has been more beneficial to the material interests of the State than the appropriation of the sum which was made by the Legislature in 1885 for the benefit of this Board.

We therefore heartily recommend a continuation of said appropriation for at least two years longer.

Respectfully submitted,

C. M. CARTWRIGHT,

Chairman on the part of the Senate.

On motion of Mr. Gray, the foregoing report was adopted.

Mr. Shupe, Chairman of the Special Joint Committee under H. C. R. No. 6, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 16, 1887. }

*Mr. President*—Your Committee appointed by Concurrent Resolu-

tion of the Senate and House of Representatives to examine the books and accounts of the State Treasurer, beg leave to submit the following report:

As authorized by your Resolution, we employed as expert accountants Walter Sinclair and James Walton to examine the books and accounts of said office under our direction and supervision, and with such personal assistance as our other legislative duties enabled us to give the work, and have to report:

First—Every receipt of the Treasurer issued during the past two fiscal years has been carefully examined, compared with the duplicate receipt filed with the Secretary of State, and checked on the Treasurer's report.

Second—The disbursements, as reported by the Treasurer, have been verified by detailed examination of the Secretary's warrants, filed in the Treasurer's office, on which the payments have been made and in every case found to agree, and the totals, both of receipts and disbursements, in the several funds found correct.

Third—The bonds reported as having been redeemed, together with the interest coupons paid, have all been separately examined and found correct in number and amount.

Fourth—The notes given for loans from the various trust funds and the mortgages securing the same have been carefully examined, and are now turned over to the present State Treasurer, whose receipt corresponds to the statement of the ex-Treasurer's report.

Fifth—The securities deposited by the foreign insurance and express companies, amounting to two millions and a quarter, have been produced to your Committee, examined by them and are all in the possession of the present State Treasurer Webb. The books and accounts of the office are neatly and systematically kept, and in all respects agree with the printed report with the exception of some typographical errors in the latter.

J. H. ROBERTS,  
Chairman House Committee.

J. H. SHUPE,  
Chairman Senate Committee.

On motion of Mr. Shupe, the foregoing report was adopted.

Mr. Steel, Chairman of Special Joint Committee under S. C. R. No. 5, submitted the following

#### REPORT.

SENATE OF REPRESENTATIVES, }  
SALEM, February 15, 1887. }

*Mr. President*—Your Special Joint Committee, to whom was referred the investigation of the expenditures of \$10,000, appropriated

by the Legislative Assembly at the Special Session in 1885, to build a bridge across Rogue River at Grant's Pass, beg leave to report that they have had the same under consideration, and would respectfully report to the House that they have examined into the same, and in their opinion the Board of County Commissioners of Josephine County, under whose direction and management said appropriation was expended, have wisely and judiciously expended said money in the construction of a strong and serviceable bridge of two spans of 180 feet each with iron piers and floor beams and 200 feet of approaches at said point on said river. An itemized statement of said expenditure may be found on pages 23 and 24 of the Secretary of State's Biennial Report to the Legislative Assembly, Fourteenth Regular Session.

G. A. STEEL,  
Chairman Senate Committee.  
A. M. LAFOLLETT,  
Chairman House Committee.

On motion of Mr. Cauthorn, the foregoing report of the Committee was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. R. No. 21.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

#### REPORT.

SENATE CHAMBER, .  
SALEM, February 17, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred House Bill No. 102, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

JOSEPH SIMON,  
Chairman.

Mr. Hare moved that the rules be suspended and H. B. No. 102

be placed upon its final passage now. The roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—29.

Nays—None.

Absent—Mr. Rinehart—1.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Hare, Irvine, Lee, Looney, Stanley, Steel, Williams, Weatherford, Wager, Watts—18.

Nays—Messrs. Cauthorn, Dimick, Emmett, Hamilton, Miller, Shupe, Mr. President—7.

Absent—Messrs. Gray, Rinehart, Siglin, Simon and Veatch—5.

So H. B. No. 102 was declared passed.

Mr. Steel, Chairman of Special Committee, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee appointed under House Concurrent Resolution No. 8, to examine the books and accounts of the Secretary of State and those of the Board of Commissioners for the sale of School and University Lands, have completed our labors and beg leave to report as follows:

We have, with the assistance of competent accountants, pursued our investigation in as thorough and comprehensive a manner as the time at our disposal would permit. We find that the records in the office of the Secretary of State have been kept in a neat and systematic manner, with a view of their being accurate and of easy reference. Records and indexes have been regularly kept and papers have been so filed and recorded as to make each class of easy access. We have carefully compared the stubs of the warrant books with the entries as made in the abstract of warrants, from which the Secretary's Biennial Report is made, and have also compared the



vouchers with the corresponding entries in the aforesaid abstract, and find that they have been correctly entered under their appropriate headings and the amounts carried forward from page to page showing the condition of the various funds at any date required. We have also compared the duplicate receipts of the State Treasurer as filed in the Secretary's office with the abstract of the same and find them correctly entered and the footings carried forward to the ledger, the face of which shows the exact condition of the various funds. The expenditures have in all cases been restricted to the rates and the amounts fixed by law, and in all matters in which the Secretary of State has had the exercise of discretionary powers, careful supervision and economy has been observed. We have been shown the various details of this department and note with interest the care taken by the Secretary of State in the care and protection of the State records. The most important of these which have accumulated during Mr. Earhart's eight years' administration have been carefully segregated and re-arranged in their regular order, from September 9, 1878, to December 31, 1886, inclusive, and properly labeled, and have been placed in the vault for further protection and future reference. We have been shown the deeds to the lands belonging to the State and upon which the various public buildings are erected, as well as the insurance policies covering many of the buildings owned by the State. Official oaths and bonds, vouchers, insane commitments, articles of incorporation, election returns and trade marks have all been systematically indexed, filed and recorded. The manuscript laws of every Legislative Assembly convened since the organization of the State are substantially bound and carefully preserved. The original Constitution of the State of Oregon, as signed by the members of the Constitutional Convention of 1857, as well as the original copy of the proceedings of that honorable body, are filed in the archives, in which may also be found the printed Laws and Journals of the various Sessions of the Legislative Assemblies. Records are also kept of Notarial and other Executive appointments, both civil and military; of the emolument returns; of the Clerks, Sheriffs and District Attorneys; of the patients committed to the Insane Asylum, as well as many other matters of public importance in which large interests are at stake. The records of the Provisional and Territorial Government are also carefully preserved. The books and accounts are neatly and accurately kept, and in view of the limited allowance heretofore made for clerical aid in that department, they are comprehensive and exhaustive in detail, reflecting great credit upon the Secretary of State, Hon. R. P. Earhart, and his worthy assistant, Major F. E. Hodgkin, under whose direct and personal supervision the work has been systematized and performed.



We have also carefully examined the books and accounts of the Board of Land Commissioners, and find that they have been well and correctly kept, all amounts received properly charged and turned over to the State Treasurer. The accounts for lands sold have been carefully compared with the entries in the cash books and with the endorsement on the notes given for deferred payments, and we find the same complete and accurate, and we find the system of accounts and the general manner of conducting the business of the office to be plain, comprehensive and complete, and reflects great credit upon the Clerk of the Board, Mr. E. P. McCornack. The records of the Board are neatly kept, the papers all systematically arranged and careful business management apparent throughout the entire office.

Respectfully submitted,

G. A. STEEL, Chairman,	} Committee.
E. P. COLEMAN,	
M. POMEROY,	
W. H. HARRIS,	
ROBERT A. MILLER,	

On motion of Mr. Simon, the report was adopted.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

#### REPORT.

SENATE CHAMBER, }  
SALEM, February 11, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred H. B. No. 34, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

JOSEPH SIMON,  
Chairman.

Mr. Simon moved that the rules be suspended and the bill be read the third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hare and Rinehart—3.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?"

Pending discussion, on motion of Mr. Simon the bill was referred to a Special Committee consisting of Messrs. Weatherford and Hare with leave to report at any time.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in Senate amendments to H. B. 44.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in Senate amendments to H. B. No. 137.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. 166.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

REPORT.

SENATE CHAMBER,  
SALEM, February 11, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred House Bill No. 46, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate without recommendation.

JOSEPH SIMON,  
Chairman.

Mr. Hare moved that the rules be suspended and the bill be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Miller and Rinehart—2.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?"

Pending action upon the question, on motion of Mr. Hare, H. B. No. 46 was re-referred to the Committee, with leave to report at any time.

Mr. Watts, Chairman of the Committee on Education, submitted the following

#### REPORT

SENATE CHAMBER,  
SALEM, February 17, 1887. }

*Mr. President*—Your Committee on Education, to whom was referred House Bill No. 147, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

J. W. WATTS,  
Chairman.

Mr. Cauthorn moved that the rules be suspended and the bill be read a third time and placed upon its passage now.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Gray and Siglin—3.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney,

Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Chandler, Hare and Stanley—4.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 164.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

Mr. Watts, Chairman of the Committee on Education, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 16, 1887. }

*Mr. President*—We, your Committee on Education, to whom was referred H. B. No. 72, beg leave to report that we have had the same under consideration, and would respectfully report that it be amended as follows, and as thus amended; recommend that it do pass:

#### FIRST AMENDMENT.

In Section 25, line 54, printed bill, after the word "dollars" insert "once a year."

#### SECOND AMENDMENT.

In Section 25, line 158, printed bill, strike out the word "quarterly" and insert in lieu thereof the word "annually."

(Signed.)

J. W. WATTS,  
Chairman.

On motion of Mr. Watts the amendments were adopted.

On motion of Mr. Cauthorn, H. B. No. 72 was made a special order for 10 o'clock to-morrow morning.

Mr. Looney, Chairman of the Committee on Agriculture, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 15, 1887. }

*Mr. President*—Your Committee on Agriculture to whom was referred House Bill No. 65, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

J. B. LOONEY,  
Chairman.

Mr. Lee moved that the rules be suspended and H. B. No. 65 be placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Chandler and Stanley—3.

So the rules were suspended and the bill was read a third time, and the question now being, "Shall the bill pass?"

Pending the question, upon motion of Mr. Miller, the Senate adjourned.

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EVENING SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the members were present except Messrs. Cartwright, Chandler, Miller, Shupe, Stanley and Wager.

The special order being the consideration of H. B. No. 241, coming on for action, H. B. No. 241 was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Cartwright, Chandler, Rinehart, Stanley and Wager—5.

So the bill was declared as having passed.

Mr. Williams, Chairman of the Committee on Enrollment, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 17, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bills Nos. 80, 182, 59, 184, 83, S. J. R's Nos. 19, 18, 21, and S. J. M. No. 9 beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

H. B. No. 38, under special order, was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Williams, Weatherford, Wager, Watts, Mr. President—23.

Nays—Messrs. Hare, Veatch—2.

Absent—Messrs. Barin, Cauthorn, Rinehart, Stanley and Steel—5.  
So the bill was declared as having passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 47.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS.  
Chief Clerk.

#### MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 57.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 17, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 106.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

Mr. Bird, Chairman of the Committee on Corporations, submitted the following

### REPORT.

SENATE CHAMBER,  
SALEM, February 17, 1887. }

*Mr. President*—Your Committee on Corporations, to whom was referred House Bill No. 261, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

R. P. BIRD,  
Chairman.

Mr. Lee moved that the rules be suspended and the bill be read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Hare, Rinehart, Siglin, Stanley and Steel—6.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Ir-

vine, Lee, Looney, Miller, Siglin, Shupe, Simon, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Rinehart, Stanley and Steel—4.

So the bill was declared as having passed.

H. B. No. 65 coming on for consideration, on the question, "Shall the bill pass?"

Mr. Hare moved to lay H. B. No. 65 on the table, which motion prevailed, and the bill was ordered laid on the table.

Mr. Siglin, Chairman of the Committee on Printing, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 17, 1887. }

*Mr. President*—Your Committee on Printing, to whom was referred House Bill No. 197, beg leave to report that they have had the same under consideration and would respectfully report it back to the Senate with the recommendation that it do pass with the following amendments :

#### FIRST AMENDMENT.

Strike out in Section (1) one, line (6) six, the words "said volume shall be dry-pressed and half-bound."

#### SECOND AMENDMENT.

Strike out in Section (1) one, line (8) eight, the words "which shall be dry-pressed and half-bound."

#### THIRD AMENDMENT.

Strike out in Section (1) one, line (9) nine, the words "and properly stitched and covered with paper."

J. M. SIGLIN,

Chairman Committee on Printing.

On motion of Mr. Hare, the foregoing amendments were adopted and agreed to.

Mr. Hare moved that the rules be suspended and H. B. No. 197 be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was :

Those voting aye were:



Messrs. Allen, Bird, Coleman, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Chandler, Rinehart, Siglin, Stanley and Steel—6.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Rinehart and Stanley—3.

So the bill was declared as having passed.

Mr. Simon, Chairman of the Committee on Judiciary, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 17, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred H. B. No. 46, beg leave to report that they have had the same under consideration and would respectfully report it back to the Senate with the recommendation that it do pass with the following amendments:

#### FIRST AMENDMENT.

Strike out all after the word "and" down to and including the word "applicants" in the fourteenth, fifteenth and sixteenth lines, Section 3 of the original bill.

#### SECOND AMENDMENT.

Strike out the word "Treasurer" in the sixth line of Section 5, original bill, and insert the words "County Court."

#### THIRD AMENDMENT.

Strike out Section 7.

## FOURTH AMENDMENT.

Make Section 8 read Section 7.

## FIFTH AMENDMENT.

Strike out Section 9.

JOSEPH SIMON,  
Chairman.

On motion of Mr. Hare, the foregoing amendments were adopted and agreed to.

Mr. Hare moved that the rules be suspended and the bill be read a third time and placed upon its final passage.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen; Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Steel, Veatch, Williams, Watts, Mr. President—24.

Nays—Mr. Wager—1.

Absent—Messrs. Barin, Rinehart, Siglin, Stanley and Weatherford—5.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Williams, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Rinehart, Stanley, Weatherford and Wager—5.

So the bill was declared as having been passed.

Mr. Watts having obtained unanimous consent to take up H. B. No. 198 for consideration, moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Cartwright, Rinehart and Stanley—4.

So the rules were suspended and the bill was read a second time by title.

Mr. Watts moved that the rules be further suspended and the bill be read a third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Rinehart, Stanley and Williams—4.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Rinehart and Stanley—3.

So the bill was declared as having passed.

Mr. Shupe, Chairman of the Committee on Ways and Means, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 17, 1887. }

*Mr. President*—Your Committee on Ways and Means, to whom was referred H. B. No. 175, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it be referred to the Committee on Claims.

JOHN H. SHUPE,  
Chairman.

On motion of Mr. Shupe, the report was adopted and the bill was ordered referred to the Committee on Claims.

Mr. Simon, Chairman of a Special Committee, submitted the following

## REPORT.

SENATE CHAMBER, )  
SALEM, February 17, 1887. )

*Mr. President*—Your Special Committee, consisting of the Senators from Multnomah County, to whom was referred H. B. No. 211, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass.

JOSEPH SIMON,  
Chairman.

Mr. Simon moved that the rules be suspended and the bill read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Rinehart, Stanley and Watts—4.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Williams, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Rinehart, Stanley and Weatherford—4.

So the bill was declared passed.

Mr. Simon moved that the rules be suspended and H. B. No. 43 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—Mr. Hare—1.

Absent—Messrs. Barin, Cauthorn, and Rinehart—3.

So the rules were suspended and the bill was read a second time by title.

Mr. Simon moved that the rules be further suspended and the bill be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Hare, Rinehart and Stanley—5.

So the rules were suspended and the bill was read a third time, and the question being "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Looney, Miller, Siglin, Shupe, Simon, Steel, Williams, Weatherford, Wager, Watts, Mr. President—22.

Nays—Messrs. Coleman, Cauthorn, Hare and Veatch—4.

Absent—Messrs. Barin, Lee, Rinehart and Stanley—4.

So the bill was declared passed.

Mr. Miller moved that the rules be suspended and H. B. No. 132 be read the third time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Rinehart and Stanley—3.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?"

Pending action Mr. Miller moved that the bill be re-referred to the Committee for corrections, with instructions to report within five minutes.

Mr. Williams, Chairman of the Committee on Enrollment, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 17, 1887. }

Mr. President—Your Committee on Enrolled Bills, to whom was

referred Senate Bill No. 164, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

Mr. Hare moved that the rules be suspended and H. B. No. 229 be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Simon, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cartwright, Rinehart, Shupe, Stanley and Steel—6.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Coleman was made a special order for 10:30 o'clock tomorrow morning.

Mr. Watts moved that the rules be suspended and H. B. No. 90 be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Siglin, Shupe, Simon, Steel, Veatch, Williams, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Miller, Rinehart, Stanley, Weatherford—5.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was.

Those voting aye were :

Messrs. Allen, Bird, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Wager, Watts, Mr. President—21.

Nays—Messrs. Coleman, Dawson, Irvine, Veatch, Williams and Weatherford—6.

Absent—Messrs. Barin, Hare and Stanley—3.

So the bill was declared passed.

Mr. Carson presented the following communication to the Senate:

STATE OF OREGON,  
SENATE CHAMBER,  
SALEM, Feb. 17, 1887.)

*To the President of the Senate :*

I herewith present to the Senate two hundred copies of my intend-

ed remarks on Senate Bill No. 136, relating to pilotage on the Columbia River Bar.

Very respectfully,

J. H. D. GRAY.

On motion of Mr. Simon, a vote of thanks was tendered to Mr. Gray for the donation.

Mr. Chamberlin, Chairman of the Committee on Counties, submitted the following report to the amended H. B. No. 132:

#### REPORT.

SENATE CHAMBER,  
SALEM, February 17, 1887. }

*Mr. President*—Your Committee on Counties, to whom was referred H. B. No. 132, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass, with the following additional

#### AMENDMENTS.

In line 23, Section 1, original bill, shall read \$2,500.

In line 28, Section 1, original bill, to read \$900.

M. L. CHAMBERLIN,  
Chairman.

On motion of Mr. Miller, the amendments were adopted.

The vote recurring upon the original question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Cauthorn and Stanley—3.

So the bill was declared passed.

On motion of Mr. Siglin, the Senate adjourned.

E. G. HURSH,  
Chief Clerk.

FRIDAY, FEBRUARY 18, 1887.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, February 18, 1887. }

The Senate met at the hour appointed for its meeting, and was called to order by the President.

The roll was called and all the Senators were present except Mr. Hare.

On motion of Mr. Dimick, the reading of the Journal of yesterday's proceedings was dispensed with.

On motion of Mr. Dimick, the special order set for 10 o'clock this morning was postponed for fifteen minutes.

Mr. Dimick moved that the rules be suspended and H. B. No. 30 be read the third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Williams, Watts, Mr. President—23.

Nays—Messrs. Coleman, Chandler, Veatch, Weatherford, Wager—4.

Absent—Messrs. Cartwright, Hare and Stanley—3.

So the rules were suspended for the third reading of the bill, and before being read Mr. Dimick offered the following amendments:

#### FIRST AMENDMENT.

I move to amend line 6 of Section 9 of Article III. by striking out the words "failing to present" and inserting the word "presenting" instead.

#### SECOND AMENDMENT.

Also to strike out Section thirty-two (32), thirty-three (33) and thirty-four (34) of Article IX., and to change the number of the remaining Sections according to their regular order.

On the motion of Mr. Simon, the amendments were adopted.

At this time Mr. Veatch moved to lay the bill upon the table, and Messrs. Coleman and Veatch called for the ayes and nays.



On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Coleman, Irvine, Veatch, Weatherford and Wager—5.

Nays—Messrs. Allen, Barin, Bird, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Watts, Mr. President—22.

Absent—Messrs. Chandler, Cauthorn and Hare—3.

So the motion to lay on the table was lost.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B's Nos. 124, 102, 44, 147 and 137.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B's Nos. 164, 83, 184, 80, 182 and 59.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. J. R's Nos. 18, 21, 19 and S. J. M. No. 9.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has amended and as amended has passed S. B. No. 92.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

House amendment to S. B. No. 92 was as follows:

#### AMENDMENT.

In line 7 of printed bill after the word "dollars" insert the following, to-wit: *Provided*, that this shall not apply to Columbia and Tillamook Counties.

On motion of Mr. Lee, House amendments to S. B. No. 92 were concurred in.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has amended and as amended has passed S. B. No. 10.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

House amendments to Senate Bill No. 10 were as follows:

#### FIRST AMENDMENT.

Amend by inserting in title after words Clackamas County \$178 62, Benton County \$1,447 96 and Lane County \$1,473 50.

#### SECOND AMENDMENT.

Also to strike out \$178 62 for Clackamas County and insert in lieu thereof \$1,400 43.

#### THIRD AMENDMENT.

Also to amend Section 1 of said bill by inserting after the words Clackamas County \$178 62; to the County of Benton, \$1,447 96; to the County of Lane, \$1,473 50; also to strike out of Clackamas County \$178 62 and insert in lieu thereof \$1,400 43.

## FOURTH AMENDMENT.

Amend by inserting after Columbia County \$139 19.

On motion of Mr. Lee, the House amendments to S. B. No. 10 were concurred in.

Mr. Simon moved that the special order being the consideration of H. B. No. 72 be deferred fifteen minutes longer, which motion prevailed.

Mr. Simon introduced the following amendments to H. B. No. 30:

## FIRST AMENDMENT.

Amend Section 17 by adding after the word "drill room," in line 5 of printed bill, "and other necessary expense of running such company."

On motion of Mr. Simon, the foregoing amendment was adopted.

H. B. No. 30 was now read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Cartwright, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Williams, Watts, Mr. President—20.

Nays—Messrs. Coleman, Chandler, Cauthorn, Irvine, Steel, Veatch, Weatherford, Wager—8.

Absent—Messrs. Lee and Stanley—2.

So the bill was declared passed.

Mr. Williams, Chairman of the Committee on Enrolled Bills, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 18, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bills Nos. 176, 47, 178, 57 and 106, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

The President announced that he was about to sign S. J. R. No. 19, S. J. M. No. 9, S. J. R. No. 18, S. J. R. No. 21, Senate Bills Nos. 59, 182, 80, 184, 83, 164, House Bills Nos. 137, 147, 44, 102 and 124, and shortly afterwards stated that he had signed them.

The special order being the consideration of H. B. No. 72, was now taken up for action.

Mr. Cauthorn having obtained unanimous consent, moved to amend as follows:

AMENDMENT.

Strike out Section 3 of printed bill; also strike out all after the word Court in line 235 of printed bill.

On motion of Mr. Shupe, the foregoing amendment was adopted and agreed to.

Mr. Hare having obtained unanimous consent, introduced the following amendments to H. B. No. 72:

AMENDMENT.

Amend Section 25, printed bill, by striking out lines 231, 232 and 233, which was, on motion of Mr. Hare, adopted.

H. B. No. 72 was now read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—24.

Nays—Messrs. Chandler, Hare, Miller, Siglin—4.

Absent—Messrs. Cartwright and Rinehart—2.

So the bill was declared as having passed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. B. 270, being the General Appropriation bill.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

Mr. Simon moved that the rules be suspended and H. B. 270, accompanying the foregoing message, be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cauthorn, Chamberlin, Daw-

son, Dimick, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin Shupe, Simon, Stanley, Steel, Veatch, Williams, Wager, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Cartwright, Chandler, Emmett, Rinehart and Weatherford—5.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Simon moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Shupe, Simon, Stanley, Steel, Veatch, Williams, Watts, Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Coleman, Cartwright, Cauthorn, Rinehart, Siglin, Weatherford and Wager—8.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Simon was made a special order to immediately follow action upon H. B. No. 229.

Mr. Lee introduced

#### SENATE JOINT MEMORIAL NO. 10,

As follows:

*To the Honorable the Senators and Representatives of the United States in Congress assembled:*

Your memorialists, the members of the Legislative Assembly of the State of Oregon, would most respectfully represent to your Honorable body—

That the United States has reserved for the location of a lighthouse a high rocky promontory known as Cape Perpetua in Benton County, Oregon.

That the said Cape Perpetua presents the only formidable barrier to an open wagon road from Cape Foulweather in Benton County to Coos Bay in Coos County, Oregon.

That the construction of a wagon way over or around the said Cape would be a great benefit and convenience to the people of the western portion of the Counties of Benton, Lane, Douglas and Coos, and that it would greatly facilitate the settling up of that portion of the State.

That the opening of said road should be followed by the establishing of a through mail route, which is very much needed by the inhabitants of said Counties.

That, as the General Government holds possession of said Cape, the County Court declines to give the citizens the relief so much desired.

Therefore, your memorialists would most earnestly pray your Honorable Body to appropriate for the purpose above set forth the sum of twenty-five hundred dollars.

And your memorialists will ever pray.

Mr. Lee moved that Senate Joint Memorial No. 10 be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Cartwright, Cauthorn, Rinehart, Stanley and Wager—5.

So S. J. M. No. 10 was declared adopted.

Mr. Simon introduced

#### SENATE CONCURRENT RESOLUTION NO. 15,

As follows:

*Resolved by the Senate, the House concurring:*

That a Special Committee of five, consisting of two members from the Senate and three members from the House, be appointed for the purpose of examining into and investigating the fishing industries of this State, and that such Committee sit during the recess of the Legislature and report by bill or otherwise the result of their investigations and conclusions at the next session of the Legislature.

On motion of Mr. Simon, the Resolution was adopted.

Mr. Gray, Chairman of the Committee on Federal Relations, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 18, 1887. }

*Mr. President*—Your Committee on Federal Relations, to whom was referred House Joint Memorial No. 5, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate without recommendation.

J. H. D. GRAY,  
Chairman.

On motion of Mr. Gray, House Joint Memorial No. 5 was indefinitely postponed.

On motion of Mr. Miller, the Senate adjourned.

### AFTERNOON SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

By unanimous consent, the President added to the Enrolling Committee the names of Messrs. Lee and Veatch, and the Committee was authorized to employ such further clerical aid as necessary to keep up with the enrollment of bills.

### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 18, 1887. }

*To the Honorable the President of the Senate:*

I am directed by the Governor to inform you that he has signed the following bills:

#### HOUSE BILL NO 66.

"An Act to create the County of Malheur in the State of Oregon, and to fix the salaries of County Judge and Treasurer."

#### HOUSE BILL NO. 96.

"An Act to amend Section 62, Title VI., Chapter IV., of the Miscellaneous Laws of Oregon, pertaining to Common Schools, as amended by an Act entitled an Act to provide for the collection of School District taxes, approved October 20, 1876."

#### HOUSE BILL NO. 94.

"An Act to amend Section 28, Title III., of Chapter IV., of the Miscellaneous Laws of Oregon, pertaining to Common Schools, as amended by an Act entitled an Act to amend Section 28, Title III., of Chapter IV., of the Miscellaneous Laws of Oregon compiled by M. P. Deady and La Fayette Lane, approved October 26, 1882."

## HOUSE BILL NO. 60.

"An Act to amend Section 54 of an Act entitled an Act to establish a uniform course of public instruction in the Common Schools of this State."

## HOUSE BILL NO. 145.

"An Act to amend an Act entitled an Act to prevent deception in sales of dairy products."

## HOUSE BILL NO. 59.

"An Act to amend an Act entitled an Act to amend an Act entitled an Act to amend Sections 37 and 57 of Title IV., of an Act to establish a uniform course of public instruction in the Common Schools of this State."

## HOUSE BILL NO. 204.

"An Act to abolish the office of County Clerk in Multnomah County, etc."

## SENATE BILL NO. 165.

"An Act re-districting the State into Senatorial and Representative Districts and fixing the number of Senators and Representatives in the Legislative Assembly."

## SENATE BILL NO. 137.

"An Act to incorporate the town of Grant's Pass, Josephine County."

## SENATE BILL NO. 119.

"An Act to incorporate Baker City, Oregon."

And the same have been filed this day in the office of the Secretary of State.

WM. A. MUNLY,  
Private Secretary.

Mr. Williams, Chairman of the Enrollment Committee, submitted the following



## REPORT.

SENATE CHAMBER, }  
SALEM, February 18, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bills Nos. 10, 166 and 92, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 66.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed House Bills Nos. 238, 211, 82, 43 and 261.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 41.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 125.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 37, with the amendments attached thereto.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

The House amendments to S. B. No. 37, accompanying the foregoing message, are as follows:

## FIRST AMENDMENT.

Strike out in Section 1, line 2 of printed bill, the words "and published."

## SECOND AMENDMENT.

Strike out in Section 4, line 6 of printed bill, the words "and bind."

## THIRD AMENDMENT.

Strike out Section 5, line 1 of printed bill, the words "and bind."

## FOURTH AMENDMENT.

Insert in Section 5, line 5 of printed bill, after the word "volume" the words "the binding of said volumes shall be done under the direction and supervision of the Secretary of State."

On motion of Mr. Simon, the Senate concurred in the foregoing House amendments.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 48.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign H. B's Nos. 43, 82, 211, 238 and 261, and afterwards stated that he had signed the same.

On motion of Mr Veatch, H. B. No. 210 was made the special order for 7:30 o'clock this evening.

On motion of Mr. Shupe, H. B. No. 190 was made the special order for this evening at 8 o'clock.

On motion of Mr. Cauthorn, H. B. No. 155 was made the special order for this evening.

On motion of Mr. Hare the special order, the consideration of H. B. No 229 was deferred ten minutes.

Mr. Hare moved that the rules be suspended and H. B. 167 be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Stanley—2.

So the rules were suspended and the bill was read a second time by title.

Mr. Hare moved that the rules be further suspended and the bill be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Siglin and Steel—4.

So the rules were suspended and the bill was read a third time,

and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cartwright, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—30.

Nays—None.

Absent—None.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B's Nos. 57, 106, 178, 47 and 176.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign Senate Bills Nos. 47, 57, 106, 176 and 178, and soon afterwards stated that he had signed them.

Having obtained unanimous consent, Mr. Siglin called up H. B. No. 56 and offered the following amendment:

Amend H. B. No. 56 by inserting after "Coos County" "Josephine County."

On motion of Mr. Siglin, the amendment was adopted.

Mr. Siglin moved that the rules be suspended and H. B. No. 56 be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts and Mr. President—27.

Nays—Mr. Veatch—1.

Absent—Messrs. Barin and Lee—2.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?"

Mr. Simon, having obtained unanimous consent, introduced the following amended title to H. B. No. 56: "An Act to amend Section 1 of an Act as amended by an Act approved February 23, 1885, as

amended by an Act approved November 25, 1885, entitled an Act to amend an Act entitled an Act to amend an Act to amend Sections 2, 3, 4, 5, 6, 7 and 8; and to repeal Section 10 of an Act approved October 29, 1874, entitled an Act to repeal Sections 2 and 4 of an Act approved October 23, 1872, entitled an Act to amend Chapter XVIII., of the General Laws concerning fees of officers; and to amend an Act entitled an Act to amend Chapter XVIII., of the General Laws concerning fees of officers approved October 24, 1870, and Section 12 of an Act approved October 24, 1864, entitled an Act to prescribe the fees of certain officers and persons; and Section 4 of an Act approved January 12, 1859, entitled an Act to amend an Act entitled an Act to regulate the fees of certain officers and other persons; and Section 1 of an Act approved October 12, 1864, entitled an Act to fix the legal distances from the [—] in this State to the Penitentiarys at the city of Portland, and to regulate the fees of Sheriff's for conveying convicts to the Penitentiary; and all of an Act approved October 29, 1870, entitled an Act to regulate the fees of officers in certain Counties; and all of an Act approved October 28, 1872, entitled an Act to amend an Act to regulate fees of officers in certain Counties; and to amend Section 5 of an Act approved October 21, 1864, entitled an Act to amend an Act entitled an Act to provide for the collection of taxes; and to repeal an Act approved October 19, 1886, and to prescribe the fees of Clerks and Sheriffs approved October 26, 1882.

On motion of Mr. Simon, the amended title as above appears was adopted.

The vote now recurring on the question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Cartwright, Chandler, Chamberlin, Emmett, Gray, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—21.

Nays—Messrs. Allen, Coleman, Cauthorn, Dimick, Hare, Hamilton, Irvine, Veatch—8.

Absent—Mr. Dawson—1.

So the bill was declared passed.

Mr. Williams, Chairman of the Committee on Enrolled Bills, submitted the following

#### REPORT.

SENATE CHAMBER,  
SALEM, February 18, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was

referred Senate Bill No. 125, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. C. R. No. 15, providing for a Joint Committee to investigate the fisheries question, and has appointed as members of such Committee, on the part of the House, Messrs. Maxwell, Pomeroy and Bilyeu.

And the same is herewith transmitted.

A. C. JENNINGS,  
Chief Clerk.

The President appointed as members of the Joint Committee under S. C. R. No. 15, from the Senate, Messrs. Allen and Wager.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 113 with the amendments thereto attached.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

The amendments to S. B. No. 113 adopted by the House and transmitted with the foregoing message are as follows:

#### REPORT.

SENATE CHAMBER, }  
SALEM, February 18, 1887. }

*Mr. President*—Your Committee on Judiciary, to whom was referred Senate Bill No. 113, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it do pass with the following amendments, viz.:

## FIRST AMENDMENT.

Strike out the words "County Recorder and prescribing his duties thereof" in the third line of the first page of the original bill, and insert the following in the place thereof, viz.:

"Recorder of Conveyances in the Counties of Linn, Marion, Washington and Yamhill, and to prescribe the duties and the fees of the same."

## SECOND AMENDMENT.

Strike out Section 1 of the bill and insert in the place thereof the following, viz.:

SECTION 1. That on, from and after the first Monday of July, 1888, there shall be in the Counties of Clackamas, Clatsop, Linn, Marion, Umatilla, Union, Washington and Yamhill, they each having the number of votes required by the Constitution, namely, twelve hundred, a Recorder of Conveyances, who shall be chosen in the same manner as other officers of the County are chosen, and who shall hold their offices for two years and until their successors are elected and qualified; *provided*, that the person to be elected to such offices for the terms commencing on the first Monday of July, 1888, shall be elected at the general election in 1888. The office of Recorder of Conveyances in said Counties shall be separate and distinct from the County Clerk's office of said Counties. The Recorder of Conveyances in each of said Counties, before entering upon the duties of his office, shall execute to the State of Oregon, and file with the County Court of his County a bond in the penal sum of three thousand dollars, with two or more sufficient sureties, to be approved by the County Judge of his County, with a condition that he will faithfully, correctly and impartially perform all the duties of his office, and shall deliver to his successor in office all books, records, maps, deeds, mortgages, papers and things belonging to his office, then the said obligation shall be void; otherwise to remain in full force and effect.

## THIRD AMENDMENT.

Strike out the words "County Recorder" in the twentieth line of the second page and insert in the place thereof the words "Recorder of Conveyances" in the twenty-third line of the second page, and after the word Recorder in the twenty-sixth line of the second page insert the words "of Conveyances" and after the word "Recorder"

in the twenty-seventh line of the same page insert the words "of Conveyances."

#### FOURTH AMENDMENT.

Strike out the words "County Recorder" in the sixth line of the third page and insert in the place thereof the words "Recorder of Conveyances;" and after the word "Recorder" in the fifteenth line of the third page insert the words "of Conveyances;" after the word "Recorder" in the nineteenth line of the third page insert the words "of Conveyances."

#### FIFTH AMENDMENT.

After the word "Recorder" in the tenth line of the fourth page insert the words "of Conveyances."

#### SIXTH AMENDMENT.

Strike out the words "County Recorder" in the twenty-third line of the seventh page and insert in the place thereof the words "Recorder of Conveyances;" and strike out the words "County Recorder" in the twenty-first line of the eighth page and insert the words "Recorder of Conveyances" in the place thereof.

#### SEVENTH AMENDMENT.

Strike out the words "County Recorder" in the seventh line of the ninth page and insert in the place thereof the words "Recorder of Conveyances."

#### EIGHTH AMENDMENT.

Strike out the word "Judicial" in the eleventh line of the ninth page; and after the word "day" in the same line insert the words "excepting Sunday;" strike out the words "County Recorder" in the sixteenth line of the ninth page and insert in the place thereof the words "Recorder of Conveyances."

S. R. HARRINTON,  
Chairman.

On motion of Mr. Hare the amendments were concurred in.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 112.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in S. J. M. No. 10, providing for a road around Cape Perpetua.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. 155.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B's. Nos. 92, 166 and 10.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B. No. 125.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign S. B's Nos. 10, 95, 125 and 166, and shortly afterwards stated that he had signed them.

On motion of Mr. Simon the Senate resolved itself into a Committee of the Whole to consider H. B. No. 229, with Mr. Lee as Chairman.

The Committee of the Whole having been dissolved, the Senate was again called to order by the President.

Mr. Lee, Chairman of the Committee of the Whole, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 18, 1887. }

*Mr. President*—Your Committee of the whole Senate, to whom was referred H. B. No. 229, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the recommendation that it be further considered by the Senate, and that said Committee have agreed upon the following amendments:

## FIRST AMENDMENT.

Amend Section 6 of H. B. No. 229 by striking out of lines 1 and 2 of printed bill the word "February" and insert in lieu thereof the word "January."

## SECOND AMENDMENT.

Amend by striking out in lines 3 and 4 of Section 8 of printed bill all the words after the word "effect" in line 3 to and including the word "practicable" in said line 4 of Section 8.

J. D. LEE,  
Chairman Committee of the Whole.

On motion of Mr. Hare, the report of the Committee of the Whole was adopted and concurred in.

On motion of Mr. Cauthorn, it was ordered that when the Senate adjourn it do adjourn to meet at 7:30 o'clock this evening.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 18, 1887. }

*To the Honorable the President of the Senate:*

I am directed by the Governor to inform you that he has signed

SENATE BILL NO. 166.

“An Act to create and establish a Board of Railroad Commissioners and to define and regulate its powers and duties; and to fix the compensation of its members.”

And the same have been this day filed in the office of the Secretary of State.

WM. A. MUNLY,  
Private Secretary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 7.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B's Nos. 72 and 198.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 175.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 95.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 162.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that S. B. No. 91 has failed to pass.

And the same is herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that S. B. No. 56 has failed to pass.

And the same is herewith returned to the Senate.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 20.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 27.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 107.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 133.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B's Nos. 46, 90, 132.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 16.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 103.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign H. B's Nos. 132, 46, 90, 198 and 72, and shortly afterward stated that he had signed them.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed H. C. R. No. 25, asking the Senate to meet the House in Joint Convention, February 18, 1887, to elect the Fish Commissioners.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. C. R. No. 25, accompanying the foregoing message, was read, and on motion of Mr. Simon was concurred in.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 6.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## REPORT.

SENATE CHAMBER,  
SALEM, February 18, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bill No. 41, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that Senate Bill No. 58 has failed to pass the House.

And the same is herewith returned.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B. No. 41 and H. B. No. 115.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed House Bills Nos. 167 and 197.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign House Bills Nos. 115, 167 and 197, and shortly thereafter stated that he had signed the same.

The Senate having under consideration H. B. No. 229, Mr. Simon, by unanimous consent, introduced the following

## AMENDMENT.

Strike out of Section 38 all of Section after line 12 of the printed bill.

A vote being taken, the amendment was adopted.

Mr. Simon moved the adoption of the following

## AMENDMENT.

Amend Section 43 by adding after the word "third" in twenty-fifth line the word "fourth" of printed bill.

A vote being taken, the amendment was adopted.

Mr. Wager moved to adopt the following

## AMENDMENT.

Amend H. B. No. 229 as follows: In line 11 of Section 49 of



printed bill strike out the word "two" and insert instead thereof the word "one;" also, strike out on same line the word "gross" and instead the word "net."

A vote being taken, the foregoing amendment was adopted.

Mr. Miller moved to adopt the following

#### AMENDMENT.

Amend Section 41 of H. B. No. 229 by striking out all of line 8 of printed bill after the word "taxed" and insert in lieu thereof "in the different counties of the State in proportion to the number of miles of such road in each county."

A vote being taken, the foregoing amendment was adopted.

By unanimous consent the following amendment offered by Mr. Simon was adopted.

#### AMENDMENT.

Amend Section 41, printed bill, by striking out of line 7, page 18, the words "and other personal property."

Mr. Shupe moved to lay H. B. No. 229 with amendments on the table.

On this question the ayes and noes were called for by Messrs. Hare and Cauthorn.

The roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cauthorn, Emmett, Hamilton, Shupe, Simon, Stanley, Steel—8.

Nays—Messrs. Allen, Barin, Coleman, Cartwright, Chamberlin, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Veatch, Weatherford, Wager, Watts, Mr. President—20.

Absent—Messrs. Bird and Williams—2.

So the motion to lay on the table was lost.

Mr. Stanley moved to adjourn.

On this question the ayes and noes were called for by Messrs. Hare and Veatch.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Chandler, Chamberlin, Hamilton, Miller, Siglin, Shupe, Simon, Stanley, Steel, Mr. President—11.

Nays—Messrs. Barin, Coleman, Cartwright, Dawson, Dimick, Emmett, Gray, Hare, Irvine, Lee, Looney, Rinehart, Veatch, Wager, Watts—15.

Absent—Messrs. Bird, Cauthorn, Williams and Weatherford—4.

So the Senate refused to adjourn.

H. B. No. 229 was now read the third time, and the question being, "Shall the bill pass?"

Mr. Coleman moved a call of the Senate, and the roll being called all the Senators were present except Messrs. Bird and Williams, who made their appearance at once in the Senate.

Mr. Hare moved that the further call of the Senate be dispensed with, which motion prevailed.

The question being again, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Bird, Coleman, Dawson, Dimick, Gray, Hare, Irvine, Lee, Looney, Veatch, Weatherford, Wager and Watts—14.

Nays—Messrs. Allen, Cartwright, Chandler, Cauthorn, Chamberlin, Emmett, Hamilton, Siglin, Shupe, Simon, Stanley, Steel, Williams and Mr. President—14.

Absent—Messrs. Miller and Rinehart—2.

So the bill was declared not passed.

On motion of Mr. Miller, the Senate adjourned.

### — EVENING SESSION.

The Senate met pursuant to adjournment and was called to order by the President.

The roll was called and all the Senators reported present except Messrs. Cartwright, Irvine, Lee, Rinehart and Stanley.

At this time Mr. Wager resigned as a member of the Committee appointed under S. C. R. No. 15, and the President appointed in his stead Mr. Barin as Chairman of said Committee.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B's Nos. 241, 56 and 38.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

Mr. Williams, Chairman of the Committee on Enrolled Bills, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, February 18, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred S. B's Nos. 66, 37, 161, 48, 155 and S. J. M. No. 10, S. B's Nos. 6, 95, 20, 162, 27 and 107 beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, February 18, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred S. B's Nos. 113, 103, 133 and 112, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, February 18, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred Senate Bills Nos. 175 and 176, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

The President announced that he was about to sign H. B's Nos. 241, 56 and 38, and soon afterwards stated that he had signed them.

The hour for the special order for the consideration of H. B. No. 270 having arrived, Mr. Shupe introduced the following

## AMENDMENT.

Amend H. B. No. 270 by making line 39 of printed bill read as follows: "For pay of John Mullen for services as Land Agent of the State of Oregon \$2,118 20."

Mr. Shupe moved that the amendment be adopted.

The ayes and nays being called for by Messrs. Veatch and Hare, the roll was called and the vote was.

Those voting aye were:

Messrs. Allen, Cauthorn, Emmett, Gray, Lee, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Williams, Weatherford, Mr. President—14.

Nays—Messrs. Barin, Coleman, Chamberlin, Dawson, Dimick, Hamilton, Hare, Irvine, Looney, Veatch, Wager, Watts—12.

Absent—Messrs. Bird, Cartwright, Chandler, Stanley—4.

So the amendment was declared adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that Senate Bill No. 1 was amended and ordered to lie on the table.

And the same is herewith returned.

A. C. JENNINGS,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that S. B. No. 109 has failed to pass the House.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

The time set by the Legislative Assembly to meet in Joint Convention to elect three Fish Commissioners having arrived, the Senate repaired to the hall of the House of Representatives.

#### JOINT CONVENTION.

The Senators having entered the hall of the House, the Convention was called to order by the President of the Senate.

The roll of the Senate was called by the Clerk of the Senate and all the Senators were present.

The roll of the House was called by the Clerk of the House.

All members present except Messrs. Blundell, absent on account sickness, Lafollett of Yamhill, Mitchell and Munger.

The President stated that the purpose of the Joint Convention was the election of three Fish Commissioners and declared nominations in order.

Mr. Daly placed in nomination Mr. A. M. Holmes of Polk County.

Mr. Pomeroy nominated R. C. Campbell.

Senator Miller nominated Mr. F. C. Reed of Clatsop County.

Mr. Bowditch nominated W. B. Adair of Clatsop County.

Senator Gray nominated J. O. Bozarth of Clatsop County.

Mr. Crook nominated Mr. E. P. Thompson of Multnomah County.

Mr. Noyer nominated Mr. Lafollett of Marion County.

On motion of Senator Wager the nominations were ordered closed.

The roll was called and those voting for Mr. F. C. Reed were:

Messrs. Barin, Bird, Benjamin, Bilyeu, Biggs, Coleman, Cartwright, Chamberlin, Crook, Culver, Dimick, Davis, Gard, Gubser, Goodsell, Hamilton, Holland, Henry, Hansard, Hicks, Harris, Harrington, Haley, Irvine, Johnson, Kruse, Lee, Looney, Lafollett of Marion, Layman, Laughlin, Little, Miller, Maxwell, Miller of Jackson, McLean, McKenzie, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Roberts, Richardson, Shupe, Simon, Stafford, Swank, Summers, Smith, Thompson, Taylor, Veatch, Vanderpool, Williams, Watts, Wilcox, Mr. President, Mr. Speaker—60.

Those voting for Mr. E. P. Thompson were:

Messrs. Allen, Benjamin, Bowditch, Biggs, Blevins, Chandler, Cauthorn, Crook, Culver, Dawson, Davis, Emmett, Gray, Gard, Gubser, Goodsell, Gay, Holland, Hale, Henry, Hansard, Harris, Harrington, Holmes, Johnson, Kruse, Lee, Lockett, Layman, Laughlin, Little, Miller, Mayer, Maxwell, Miller of Jackson, Mitchell, McLean, Mackay, McCully, Noyer, Osborn, Pomeroy, Palmer, Pendleton, Paulsen, Rinehart, Roberts, Richardson, Siglin, Shupe, Stanley, Steel, Stafford, Summers, Smith, Thompson, Veatch, Vanderpool, Williams, Weatherford, Wager, Wilson, Wilcox, Mr. President, Mr. Speaker—65.

Those voting for Mr. R. C. Campbell were:

Messrs. Allen, Barin, Bird, Benjamin, Bowditch, Bilyeu, Biggs, Cartwright, Chamberlin, Crook, Culver, Dimick, Gubser, Goodsell, Gay, Holland, Henry, Hansard, Hicks, Harris, Harrington, Johnson, Kruse, Looney, Lafollett of Marion, Layman, Little, Mayer, Maxwell, Mitchell, McLean, McKenzie, Mackay, Pomeroy, Palmer, Pendleton, Paulsen, Roberts, Richardson, Simon, Steel, Summers, Smith, Taylor, Williams, Watts, Wilson. Mr. President, Mr. Speaker—49.

Those voting for Mr. J. O. Bozarth were:

Messrs. Allen, Barin, Bird, Blevins, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Daly, Emmett, Gray, Hamilton, Hale, Hicks, Holmes, Irvine, Lee, Looney, Lockett, Lafollett of Marion, Laughlin, Miller of Linn, McCully, Paulsen, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Stafford, Veatch, Weatherford, Wager, Watts, Wilson, Wilcox—39.

Those voting for Mr. W. B. Adair were:

Messrs. Bowditch, Bilyeu, Blevins, Coleman, Chandler, Cauthorn, Dawson, Davis, Daly, Emmett, Gray, Gard, Gay, Hamilton, Hale, Irvine, Lockett, Miller, Mayer, Miller of Jackson, Miller of Linn, Mitchell, McKenzie, Noyer, Osborn, Rinehart, Siglin, Stanley, Taylor, Vanderpool, Weatherford, Wager, Wilcox—33.

Those voting for A. M. Holmes were:

Messrs. Daley and Haley—2.

Voting for Mr. Lafollett was Mr. Haley—1.

Mr. Cauthorn voted for Mr. Colwell—1.

Mr. Holmes voted for Mr. Daly—1.

Mr. Miller of Linn voted for Mr. Simon—1.

Mr. Thompson voted for Mr. Harrington—1.

Absent and not voting, Messrs. Blundell, Crockett, Hare and Munger.

F. C. Reed, E. P. Thompson and R. C. Campbell having received a majority of all the votes cast, were, by the President, declared duly elected Fish Commissioners.

On motion of Mr. Weatherford, the Joint Convention dissolved.

#### IN THE SENATE.

The Senate having returned to its chambers, was called to order by the President.

On motion of Mr. Weatherford, the vote whereby Mr. Shupe's amendment to H. B. No. 270 was adopted, was reconsidered.

By unanimous consent, Mr. Shupe withdrew his amendment.

Mr. Hare submitted the following

#### AMENDMENT.

Amend H. B. No. 270 by adding to Section two the following: For the return of the remains of A. C. Gibbs from London to Oregon, \$1500.

On motion of Mr. Hare, the amendment was adopted.

Mr. Barin submitted the following amendment to H. B. 270:

#### AMENDMENT.

Add the following clause after line 77, page 4, of printed bill: "For pay of Railroad Commissioners and Clerk and other expenses under Act approved February 18, 1887, \$1,500."

On motion of Mr. Barin, the amendment was adopted.

Mr. Shupe submitted the following amendments:

## FIRST AMENDMENT.

In line 13 of page two (2) of printed bill, strike out the words "House Joint Resolution No. 3 of February, 1885," and insert the words Senate Joint Resolution No. 20 of February, 1887.

## SECOND AMENDMENT.

In line 61 of page 3, printed bill, strike out the figures "22" and insert figure "1."

## THIRD AMENDMENT.

On page 5 of printed bill insert the words "From the" before the following clauses in said page:

Common School Fund.

State Land Fund.

Escheat Fund.

University Fund.

Agricultural College Fund Principal.

Common School Fund Principal.

State Land Fund Principal.

On motion of Mr. Shupe, the amendments were adopted.

Mr. Weatherford moved that the rules be suspended and the bill as amended be read a third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—Mr. Veatch—1.

Absent—Mr. Hare—1.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—Messrs. Irvine and Veatch—2.

Absent—None.

So the bill was declared passed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 35.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B's Nos. 155, 107, 48, 162, 27, 161, 37, 20, 6, 95, 66 and S. J. M. No. 10.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

Mr. Gray introduced

## SENATE CONCURRENT RESOLUTION NO. 16,

As follows:

*Resolved by the Senate, the House concurring:*

That a Committee of five, consisting of two on the part of the Senate and three on the part of the House, be appointed to wait upon his Excellency, the Governor, and inform him that both Houses of the Fourteenth Biennial Session of the Legislative Assembly of the State of Oregon are now ready to adjourn, and to inquire whether he has any further communications to make to the Legislature.

On motion of Mr. Gray, S. C. R. No. 16 was adopted.

The President appointed on behalf of the Senate Messrs. Gray and Coleman upon said Committee.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B. No. 30.



And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has passed S. B. No. 154.

And the same is herewith transmitted for enrollment.

A. C. JENNINGS,  
Chief Clerk.

REPORT.

SENATE CHAMBER,  
SALEM, February 18, 1887. }

*Mr. President*—Your Committee on Enrolled Bills, to whom was referred S. B. No. 154 and 35, beg leave to report the same back to the Senate as correctly enrolled.

C. O. T. WILLIAMS,  
Chairman.

The President announced that he was about to sign S. B's Nos. 20, 6, 95, 41, 60, 37, 161, 27, 162, 48, 107, 155 and S. J. M. No. 10, and shortly afterwards stated that he had signed them.

MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B's Nos. 113, 112, 175, 133, 103 and 7.

And the same are herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed S. B's Nos. 35 and 154.

And the same are herewith transmitted for your signature.

A. C. JENNINGS.  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has concurred in the Senate amendments to H. B. No. 270.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign S. B's Nos. 133, 7, 112, 103, 113 and 175, and shortly afterwards stated that he had signed them.

Mr. Cartwright, Chairman of the Committee on Public Lands, submitted the following

REPORT.

SENATE CHAMBER, }  
SALEM, February 12, 1887. }

*Mr. President*—Your Committee on Public Lands, to whom was referred the investigation of the mutilation of Senate Joint Memorial No. 6, of the Special Session of 1885, by Senate Resolution No. 21, beg leave to report that they have had the same under consideration and would respectfully report to the Senate that they have examined the original Journal of the Senate of the Special Session of 1885, and there find the original Memorial as passed by the Legislative Assembly of the Special Session of 1885, and we find that the enrolled copy has all of the original Memorial enrolled except the following words omitted, to-wit: "Albany by the way of Canyon City to the eastern boundary of the State, and by an act of Congress approved February 27, 1867, other certain lands were granted to the State of Oregon to aid in the construction of a military wagon from;" and that by said omission or mutilation said wagon road was exempted from the effects of said Memorial, and the will of the Legislature was thereby defeated. We find that said omission or mutilation occurred in the Senate after the passage of said Memorial by both Houses, but by whom your Committee have been unable to ascertain. We have also examined the matter thoroughly as to whether any State officer had anything to do with it and we thoroughly exonerate any and all said officers, as the mutilation occurred before it came into the custody of said officers; and we find

the papers in the office of the Secretary of State in perfect order without any erasures whatever, and are now just as they were when they were delivered to said Secretary of State; and we exonerate him from any blame or suspicion in the matter whatever. We hereto append the testimony taken by L. T. Richardson by order of the Committee, which is all the evidence of persons which we have been able to find who have any knowledge on the subject.

C. M. CARTWRIGHT,  
Chairman of Committee on Public Lands.

STATE OF OREGON, }  
County of Marion. } ss.

I, Jacob Voorhees, being first duly sworn, say I was one of the members and Chairman of the Enrolling Committee of the Senate at the Special Session of 1885, and I have compared Senate Joint Memorial No. 6 of said Session as enrolled with the original Memorial as introduced in the Senate, and to the best of my knowledge and belief the enrolled bill was not enrolled from the original Memorial which now forms a part of the manuscript Journal of the Senate of said Session, for the reason in every instance when Senator Williams and I compared I read the original and he read the enrolled bill, and we could not have made the mistake that has occurred. This or some other paper I requested the Chief Clerk of the Senate to deliver to me to enroll and he said he could not let me have it but would give me a copy thereof, as he was making the original a part of his Journal. Our Clerks on enrollment were instructed to copy absolutely in every particular except the spelling from the original. I compared said Memorial with Senator Williams, who was also a member of said Committee. Upon comparing the original Memorial as introduced in the Senate with the enrolled Memorial, I find said enrolled Memorial to be an exact copy of the said original except the following left out of the first "whereas," to-wit: "Albany by the way of Canyon City to the eastern boundary of the State; and by an act of Congress approved February 27, 1867, other certain lands were granted to the State of Oregon to aid in the construction of a military wagon road from." Whatever paper was handed to me by the Clerk of the Senate for enrollment as said Memorial was correctly enrolled by the Enrolling Committee and was then returned by me and reported correctly enrolled to the Senate. The foregoing statement contains all the knowledge or information I have in relation to the enrollment of said Senate Joint Memorial No. 6 of the Special Session of 1885.

JACOB VOORHEES.

Subscribed and sworn to before me this 9th day of February, 1887.

{ SEAL. }

S. T. RICHARDSON,  
Notary Public for Oregon.

STATE OF OREGON, }  
County of Marion. } ss.

I, C. O. T. Williams, being first duly sworn, say: I was one of the members of the Enrolling Committee of the Senate at the Special Session of the Legislative Assembly of 1885 of the State of Oregon, and that I and Senator Voorhees compared the paper purporting to be Senate Joint Memorial No. 6 of said Session and do not believe that the omission could have been made in the enrolled Memorial provided we had have had the original Memorial as appears in the manuscript Senate Journal of said Session. I made strict comparison of the said papers with Senator Voorhees and believe that the enrolled Memorial is an exact copy of the paper handed us for enrollment. I never paid any attention to see whether the signatures of the Clerks of the two Houses were genuine on bills or not.

C. O. T. WILLIAMS.

Subscribed and sworn to before me this 9th day of February, 1887.

{ SEAL. }

S. T. RICHARDSON,  
Notary Public for Oregon.

STATE OF OREGON, }  
County of Marion. } ss.

I, Mary Louise Holmes and Alice M. Aiken, being first duly sworn, say: That we were the Clerks that enrolled Senate Joint Memorial No. 6 of the Special Session of 1885, and that we have now compared the original Memorial as now forms a part of the manuscript Senate Journal of said Session, and to the best of our knowledge and belief we could not have made the omission that appears in the enrolled bill had we have had the original Memorial to have made said enrolled Memorial from. We believe the enrolled Memorial to be a true copy of the paper it was enrolled from.

MARY LOUISE HOLMES,  
ALICE M. AIKEN.

Subscribed and sworn to before me this 10th day of February, 1887.

{ SEAL. }

S. T. RICHARDSON,  
Notary Public for Oregon.

STATE OF OREGON, }  
County of Marion. } ss.

I, J. W. Strange, being first duly sworn, upon oath say: I was

Chief Clerk of the Senate of the Special Session of the Legislative Assembly of the State of Oregon, and in answer to the following questions say :

Question 1. Why was the Memorial which appears in your manuscript Journal left out of your printed Journal? And state whether you copied the manuscript Journal for the State Printer?

Answer. I made the copy for the State Printer under the direction of the Secretary of State and left the copy with him. I did not compare the copy with the original but left that to be done by those who were responsible for it. In making the copy I took the printed copy and pasted, as I supposed, all of that which appears in the Journal.

Question 2. Was it your custom to put the original Memorials in your Journal and make them a part of your manuscript Journal?

Answer. I sometimes put the original in and sometimes made copies for that purpose, depending upon the amount of work on hand.

Question 3. Do you remember to whom you delivered this Memorial for enrollment?

Answer. My recollection is it was to Miss Holmes.

Question 4. Why did you deliver it to her instead of the Chairman of the Enrolling Committee?

Answer. In the closing hours of the Legislature the Chairman had much to do and sometimes could not be found, and in order to expedite business I frequently delivered papers for enrollment to the Clerk of the Committee, which I presume is the reason for this.

Question 5. What time did the Senate adjourn, and what day was this enrolled on, and what day did you deliver it for enrollment?

Answer. I do not remember the date, but from the Journal of the Senate I see it was delivered to the Senate from the House on November 20, 1885, the day on which it was first introduced in the Senate. It having passed both Houses on that day I delivered the original as passed by both Houses immediately on its receipt by the Senate from the House, which, I think was but a short time before the close of the afternoon Session. Senate adjourned on Tuesday, November 24, 1885.

Question 6. Compare the original Memorial as passed by both Houses and state what is left out of the enrolled Memorial that appears in the original?

Answer. I find the following words have been omitted from the enrolled copy—that is, that portion of the enrolled copy in the hand-writing of Miss Holmes, the person to whom I delivered the original copy as found in the Journal of the Special Session for November 20, 1885, to-wit: "Albany by the way of Canyon City to the

eastern boundary of the State; and by an act of Congress approved February 27, 1867, other certain lands were granted to the State of Oregon to aid in the construction of a military wagon road from."

Question 7. Did you ever retain the original Memorial for your Journal and send to the Committee for enrollment a copy?

Answer. My answer is most emphatically and unhesitatingly no. I always gave the original as passed by both Houses to the Committee or its Clerk for enrollment.

Question 8. Did your Assistant Clerk ever do that?

Answer. Not with my consent, surely, and I do not believe he ever did.

Question 9. You may now make such further statements of anything you know in relation to Senate Joint Memorial No. 6 of the Special Session of 1885, and state if you ever had any conversation with Mr. James Hendershot or Mr. Tanner, an attorney of Portland, in relation to said Memorial at the time or afterwards or before, and if so, what was said conversation?

Answer. Previous to the close of the Special Session of the Legislature of 1885 I never had any conversation with Mr. Hendershott in relation to Senate Joint Memorial No. 6, but since that time I may have spoken to him in regard to that matter. I never spoke to Mr. Tanner in relation to the matter at all, and did not know until indirectly informed by this examination that either of the persons mentioned were in any manner interested or connected with the matter. This is all I know about the matter, but I am of the opinion that the error was made in the enrollment, for the reason that the enrolled copy was made from the original in the Journal of November 20, 1885.

Question 10. What was the conversation you had with Mr. Hendershott in relation to said Memorial if you recollect?

Answer. I do not remember of ever having any conversation with him regarding the matter, but as we frequently talked about Legislative matters, I may have had such a conversation, and if I did I do not now recall to mind either the time or place or what was said..

J. W. STRANGE.

Subscribed and sworn to before me this 18th day of February, A. D. 1887.



S. T. RICHARDSON,  
Notary Public.

(On motion of Mr. Simon, the report was adopted and ordered spread upon the Journals.

H. B. No. 210 coming on for final passage was read a third time, and the question being, "Shall the bill pass?"

Pending discussion on this question, Mr. Coleman moved the previous question, which motion, on a vote being taken, prevailed.

Now the question being stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Hare, Hamilton, Irvine, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Veatch, Williams, Weatherford, Mr. President—23.

Nays—Messrs. Gray, Wager, Watts—3.

Absent—Messrs. Cartwright, Dawson, Lee and Steel—4.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted S. C. R. No. 16, providing for a Joint Committee to wait on the Governor and inform him that the Legislature is about to adjourn [and that he has appointed, on the part of the House, on the said Committee Messrs.] Summers, Holland and Thompson, and the same is herewith returned.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign S. B's Nos. 154 and 35, and shortly afterwards stated that he had signed them.

At this time Mr. Gray, Chairman of the Joint Committee appointed to wait upon the Governor, made a verbal report that they had waited upon His Excellency the Governor, and that he had instructed them to congratulate the Senate upon its work, and that he had no further communication to make to that body.

Mr. Shupe called up H. B. No. 190 and moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Dawson, Gray, Stanley and Wager—3.



So the rules were suspended and the bill was read a second time by title.

Mr. Shupe moved that the rules be further suspended and the bill be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—26.

Nays—None.

Absent—Cartwright, Gray, Hare and Rinehart—4.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Dimick, Emmett, Hamilton, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Watts, Mr. President—20.

Nays—Messrs. Dawson and Irvine—2.

Absent—Messrs. Cartwright, Chamberlin, Gray, Hare, Lee, Veatch, Weatherford and Wager—8.

So the bill passed.

Mr. Cauthorn called up H. B. 155, and moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hamilton, Irvine, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Watts, Mr. President—24.

Nays—None.

Absent—Cartwright, Gray, Hare, Lee, Veatch and Wager—6.

So the rules were suspended and the bill was read a second time by title.

Mr. Cauthorn moved that the rules be suspended and the bill read a third time and placed upon its final passage now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Gray, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Veatch and Wager—2.



So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Williams, Weatherford, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Gray, Veatch and Wager—3.

So the bill was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr President*—I am directed by the Speaker to inform you that the House has adopted H. C. R. No. 26, providing that the members be not held responsible by their constituents when they return home.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

H. C. R. 26, accompanying the foregoing message, was, on motion of Weatherford, laid on the table.

Mr. Siglin called up H. B. No. 51 and moved that the rules be suspended and the bill be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—25.

Nays—None.

Absent—Messrs. Cauthorn, Gray, Rinehart, Shupe and Wager—5.

So the rules were suspended and the bill was read the third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Ir-

vine, Lee, Looney, Miller, Rinehart, Siglin, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—27.

Nays—None.

Absent—Messrs. Gray, Shupe and Wager—3.

So the bill was declared as having passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed House Bill No. 270.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign H. B. 270, and shortly afterwards stated that he had signed it.

Mr. Williams called up H. B. 206, which was read a second time, and Mr. Williams moved that the rules be suspended and the bill be read a third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Rinehart, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Gray and Wager—2.

So the rules were suspended and the bill was read a third time, and the question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Allen, Barin, Bird, Coleman, Cartwright, Chandler, Cauthorn, Chamberlin, Dawson, Dimick, Emmett, Hare, Hamilton, Irvine, Lee, Looney, Miller, Siglin, Shupe, Simon, Stanley, Steel, Veatch, Williams, Weatherford, Wager, Watts, Mr. President—28.

Nays—None.

Absent—Messrs. Gray and Rinehart—2.

So the bill was declared as having passed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that the House has adopted H. C. R. 27.

And the same is herewith transmitted for the consideration of the Senate.

A. C. JENNINGS,  
Chief Clerk.

On motion of Mr. Coleman, H. C. R. No. 27 was laid on the table.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, February 18, 1887. }

*Mr. President*—I am directed by the Speaker to inform you that he has signed H. B. No. 210.

And the same is herewith transmitted for your signature.

A. C. JENNINGS,  
Chief Clerk.

The President announced that he was about to sign H. B. No. 210, and shortly afterwards stated that he had signed it.

Mr. Coleman introduced

## SENATE RESOLUTION NO. 27,

As follows:

*Resolved*, That the thanks of the Senate are due and are hereby tendered to our worthy President for the able, efficient and dignified manner in which he has presided over the deliberations of this Senate.

On motion of Mr. Coleman, S. R. No. 27 was adopted.

Mr. Rinehart introduced

## SENATE RESOLUTION NO. 28,

As follows:

*Resolved*, That the thanks of the Senate be and hereby tendered to the Clerks, Sergeant-at-Arms, Doorkeeper, Pages and Committee Clerks of the Senate for their uniform courtesy and efficiency as employes of the Senate.

On motion of Mr. Watts, S. R. No. 28 was adopted.

The time fixed by the Legislative Assembly to adjourn *sine die* having arrived, the President, after thanking the Senators for their forbearance and the uniform courtesy extended him, in accordance with S. C. R. No. 24, declared the Senate of the Fourteenth Biennial Session of the Legislative Assembly of the State of Oregon adjourned without day.

E. G. HURSH,  
Chief Clerk.

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*CHIEF CLERK'S CERTIFICATE.*

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SENATE CHAMBER, }  
SALEM, February 21, 1887. }

I, E. G. HURSH, Chief Clerk of the Senate, hereby certify that the foregoing is a true and correct Journal of the proceedings of the Senate of the Fourteenth Biennial Session of the Legislative Assembly of the State of Oregon, from the 10th day of January to and including the 18th day of February, A. D. 1887.

E. G. HURSH,  
Chief Clerk.

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*CERTIFICATE OF APPROVAL.*

---

SENATE CHAMBER, }  
SALEM, March 6, 1887. }

The Committee appointed under Senate Resolution No. 23, to examine, correct and approve the Senate Journal, having performed that duty, hereby approve the said Journal as being, in all essential particulars, correct.

JOHN H. SHUPE,  
J. K. WEATHERFORD,  
Committee.



## ERRORS.

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Page 460, "S. B. 136" should read "H. B. 186."

Page 583, "A. Noyer" should read "A. Noyes."

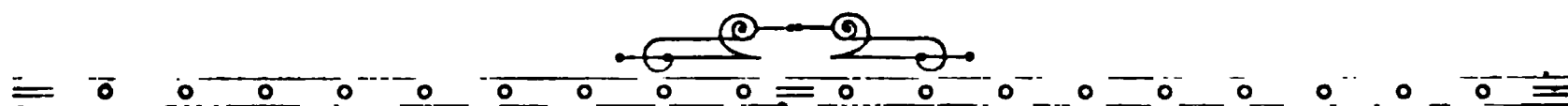
Page 584, "A. Noyer" should read "A. Noyes."

Page 585, sixth line, "J. B. Butnam" should read "J. B. Putnam."

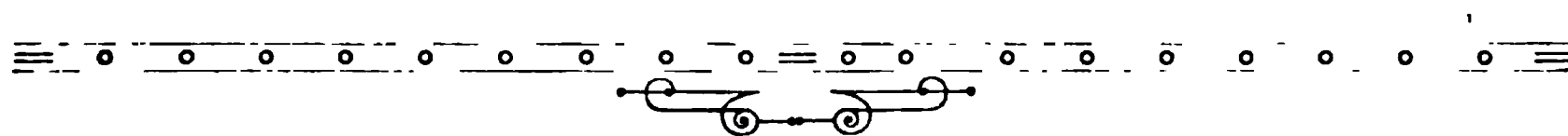
Page 672, "\$1500" should read "\$15,000."







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